

## **Illinois Statewide Transition Plan to Comply with the Department of Health and Human Services Centers for Medicare and Medicaid (CMS) 2249-F and 2296-F Regarding Home and Community-Based Services (HCBS) Settings Rules in Illinois' 1915c Waivers**

### Overview

On January 16, 2014 the Centers for Medicare and Medicaid Services (CMS) published final regulations that pertain to Home and Community-Based Services (HCBS) programs, including 1915 (c) , 1915 (i) and 1915(k) as described in 42 CFR 441.301(c) (4) (5) and 441.710(a) (1) (2). The final regulations went into effect on March 17, 2014 and align home and community-based setting requirements across three Medicaid authorities. The regulations require states operating a 1915 (c) waiver (s) to develop a Statewide Transition Plan which describes the strategies for coming into compliance with the new regulations. Illinois' assessment of its current HCBS Waiver programs in relation to the new regulations and the remediation strategies necessary to ensure full compliance with the new rules are outlined in the Statewide Transition Plan. The Plan may be found at:

<http://www.illinois.gov/hfs/MedicalClients/HCBS/Transition/Pages/default.aspx>.

### Background

The HCBS regulations require States to ensure that individuals receiving Long-Term Services and Supports (LTSS) have full access to the benefits of community living and the opportunity to receive services in the most-integrated setting appropriate and that those rights and privileges are comparable to those afforded to Non-Waiver participants in the community.

The regulations further describe the expectations for HCB settings as:

- Being integrated in and supporting full access to the greater community, including opportunities to seek employment and work in competitive integrated settings, engage in community life, control personal resources, and receive services in the community, with the same degree of access as individuals not receiving HCBS waiver services;
- Giving individuals the right to select from among various setting options, including non-disability specific settings and an option for a private unit in a residential setting;
- Ensuring individuals rights of privacy, dignity and respect, and freedom from coercion and restraint;
- Optimizing autonomy and independence in making life choices, including daily activities, physical environment and with whom to interact; and
- Facilitating choice regarding services and supports, and who provides them.

These final regulations were the result of several years of public and stakeholder comment beginning as early as 2011.

In the spring of 2014, the Illinois Department of Healthcare & Family Services (HFS) convened an LTSS Inter-Agency workgroup consisting of representatives of: HFS as the State Medicaid Authority responsible to federal CMS for oversight of the State's nine 1915(c) Waivers; the Illinois Department of Human Services (DHS) and its Divisions of Developmental Disabilities (DDD), Mental Health (DMH), Alcoholism and Substance Abuse (DASA), Rehabilitation Services (DRS); the University of Illinois at Chicago Division of Specialized Care for Children (DSCC); and the Illinois Department on Aging (IDoA). These State agencies,

with the exception of the DMH and DASA, are the operating agencies for one or more of the State's nine HCBS waivers, which include:

1. HCBS Waiver for Adults with Developmental Disabilities (DD)
2. Residential Services for Children and Young Adults with Developmental Disabilities
3. Support Waiver for Children and Young Adults with Developmental Disabilities
4. HCBS Waiver for Children Who Are Medically-Fragile, Technology-Dependent
5. HCBS Waiver for Persons who are Elderly
6. HCBS Waiver for Persons with HIV or AIDS
7. HCBS Waiver for Persons with Brain Injury
8. Persons with Disabilities
9. Illinois Supportive Living Program

Most HCBS services provided under these waivers are provided to waiver participants in their homes which are presumed to be integrated settings. HCBS residential services are provided under the Adult DD Waiver, the Children's Residential Waiver, and the Supportive Living Program. HCBS non-residential services include Developmental Training Programs provided under the Adult DD Waiver, and Adult Day Services provided under the Waiver for Persons who are Elderly and the three Division of Rehabilitation waivers are impacted by the HCBS regulations.

Illinois does not currently operate HCBS programs under the authority of the 1915 (i) or the 1915 (k).

#### Components of the Illinois Statewide Transition Plan

Illinois' Statewide Transition Plan includes an assessment of existing State statutes, regulations, standards, policies, licensing requirements, and other provider requirements, including whether waiver settings' comply with the regulations as outlined at 42 CFR 441.301(c)(4)(5) and 42 CFR 441.710(a)(1)(2). Furthermore, the Statewide Transition Plan describes the remediation steps Illinois plans to implement to assure full and on-going compliance with the HCBS settings requirements, with specific timeframes for already-identified actions and deliverables. The Statewide Transition Plan will be modified as additional actions and timeframes are identified.

The development of the Illinois Statewide Transition Plan was subject to public input, as required at 42 CFR 441.301(6)(B)(iii) and 42 CFR 441.710(3)(iii) and describes the process Illinois utilized for obtaining initial stakeholder input as well as plans to maintain stakeholder dialogue as the Transition Plan is modified.

#### Descriptions of Revisions to Draft

##### *Public Notice*

In accordance with CMS-2249-F/2296-F, (iii), Illinois provided a 32-day public notice and comment period with two statements of public notice and several methods to inform and engage the public in providing the State with feedback on the draft Statewide Transition Plan. In addition, Illinois has informed and sought feedback from our representative of the Tribal Authority or First Nation. The Plan reflects input received and has been modified accordingly.

### *Summary of Public Input*

Illinois hosted six public listening forums at which 175 stakeholders signed attendance sheets. There were others in attendance that did not sign-in. The forums were held in accessible locations throughout the State and individuals that requested assistance with participation (e.g. an interpreter) were accommodated. The notice of the public listening sessions was posted on the HFS website at <http://www2.illinois.gov/hfs/MedicalPrograms/HCBS/Transition/Pages/default.aspx>. Additionally, HFS collaborated with our sister agencies in distributing the notice to advocacy groups, provider associations, and consumer groups.

HFS hosted a webinar to provide an overview the CMS regulations on February 11, 2014. A total of 265 individuals participated on the webinar. Participants were able to provide feedback on the draft Statewide Transition Plan via the chat box.

The State posted the draft Statewide Transition Plan on the HFS website <http://www2.illinois.gov/hfs/MedicalPrograms/HCBS/Transition/Pages/default.aspx>. The website provided stakeholders with the opportunity to provide feedback on the draft Plan through a web portal. Additionally, stakeholders were provided with a telephone number to request a written copy of the proposed Transition Plan and to also provide verbal feedback. All verbal feedback, including oral testimony obtained at the listening forums, was transcribed verbatim and incorporated into the written feedback obtained from the listening forums, webinar, mail and website portal. A total of 184 individuals provided feedback using these varying methods. HFS, along with members of the LTSS Inter-Agency group, analyzed the feedback provided by the 184 stakeholders. Through the analysis, 14 themes emerged and a total of 353 separate key points were identified. The 353 separate key points were categorized into the fourteen themes. This review process utilized qualitative research methodologies.

Comments categorized under two themes of “General comment or questions regarding HCBS settings rules and the need to address questions through continuing education”, and “Comments or questions regarding issues not related to Transition Plan” indicated that stakeholders would benefit from on-going education. Some statements included under those two themes did not accurately reflect the requirements for residential and non-residential settings as defined in the final regulations. As the Statewide Transition Plan indicates, the State intends to include stakeholders in the process of site validation visits, initiate a waiver participant survey that is administered independently; and provide continuing education on the final regulations site validation visits.

Another key theme that was identified was, “Provider reimbursement rates may be barriers to compliance with portions of the CMS regulations.” As our strategy indicates, the State recognizes the relationship between reimbursement and the provider’s willingness and ability to provide additional service options as envisioned by the regulations. The State intends to comply with the Transition Plan, recognizing reimbursement may need to be addressed on a separate track. In addition, also as indicated in our strategies to address each theme, costs for services are subject to the appropriations of our General Assembly.

The Summary of Public Comment (Appendix H) represents all stakeholder input, as required under federal expectations. As required by the HCBS regulations, the Transition Plan which includes the summary of public comments is being posted on the HFS website:

<http://www2.illinois.gov/hfs/MedicalPrograms/HCBS/Pages/default.aspx>.

The State incorporated most comments obtained through public input process into the Plan. The Summary represents all public input, as required under federal expectations. The State's response outlining the strategies to be implemented is contained in Appendix H of this Transition Plan. The strategies other than those pertaining to education and rates are articulated throughout the Transition Plan.

Strategies to address key points of the public comment may be found in the column labeled "Action/Revision to Implementation Plan" in the Summary of Public Comment (Appendix H). Most comments were supported by the State and corresponding strategies have been incorporated into this Plan.

The State wishes to thank all those individuals that took the time to review the draft Plan and to provide input.

### Description of State Assessment of Current Level of Compliance

#### *Legal Review of State Statutes, Policies and Procedures*

Under the leadership of the HFS General Counsel's Office, each State agency's legal and program staff along with representatives of the Governor's Office of Statewide Housing Coordination conducted a review of Illinois' regulations, State statutes and waiver policies and procedures across the nine HCBS waiver programs to assess compliance with the residential and non-residential settings regulations. A matrix that identifies State Statutes, Policies and Procedures is included in the Transition Plan (Appendix A). As the action steps identified in Appendix A are implemented, the State may determine that additional actions are needed.

#### *Assessment of Provider Compliance with Residential and Non-Residential Settings Requirements*

The LTSS Inter-Agency workgroup has met regularly since April, 2014 and will continue to meet throughout the implementation of the Statewide Transition Plan. Initially, the workgroup's focus was on understanding the new regulations and the specific requirements for the development of the Statewide Transition Plan. Subsequently, its focus was on assessing the State's current compliance. The assessment phase included the collaboration with an independent, outside entity, the University of Illinois at Springfield (UIS), Survey Research Office. The UIS team collaborated with the Inter-Agency workgroup to design, distribute and analyze the HCBS Waiver provider residential and non-residential setting surveys. Additionally, the assessment process included convening a smaller workgroup of representatives from the State's legal teams to review existing State statutes, administrative rules, and provider requirements to determine language that would need to be amended to comply with the new regulations. Also, State staff participated in numerous stakeholder engagement events to dialogue with external stakeholders concerning the new HCBS regulations and their potential impact on the LTSS system. Presentations were made to the Illinois Association of Rehabilitation Facilities (IARF), the Affordable Assisted Living Coalition, the Illinois Governor's Conference for Aging and Disability, and to a number of workgroups associated with the efforts of the Illinois Governor's Office of Health Information and Transformation and the Balance Incentive Program (BIP).

#### *Surveys*

HFS contracted with the UIS Survey Research Office to assist the LTSS Inter-Agency workgroup with the development of the methodology for the residential and non-residential settings surveys, including the development of survey questions and analysis of survey responses, to provide the State with a non-biased assessment of current practices. The survey questions were reviewed by each State agency, tested with staff from several community-based HCBS waiver residential settings and revised by the workgroup so as to be inclusive of the variety of services offered in Illinois' residential and non-residential HCBS settings. Two

versions of the survey were created: one for residential settings and one for non-residential settings providing HCBS waiver services. Completion of the surveys by individual setting/sites was required. To work toward 100% survey responsiveness, the State reviewed and continues to review published provider lists, internal agency provider lists, licensing reports, provider billing submissions, and provider websites.

### *Residential Settings*

The residential survey consisted of two surveys: an agency-specific survey and a setting-specific survey. Researchers from the Survey Research Office, assisted in the survey design, completion and analysis of the results. A copy of their report is attached to this Transition Plan as Appendix B.

The names of 252 community-based agencies operating residential HCBS waiver settings were provided to UIS by the State agencies. Between September and November 2014, the surveys were sent to all of these HCBS providers. Multiple copies of the setting-specific survey were sent to each agency so that agency staff could report on each residential setting operated by its agency. In an effort to maximize the number of responses, UIS researchers sent post card reminders and a second set of surveys. Surveys could be submitted electronically or through the US mail. Providers who had not responded by a certain date were called and their surveys were completed over the phone. 236 of the 252 agencies (93.6 %) completed surveys. These agencies operate 1658 residential HCBS settings in Illinois.

### *Non-Residential Settings*

The non-residential survey consisted of two surveys: an agency-specific survey and a setting-specific survey. Researchers from the Survey Research Office assisted in the survey design, completion and analysis of the results. A copy of their report is attached to this Transition Plan as Appendix C.

The names of 218 community-based agencies operating non-residential HCBS waiver settings were provided to UIS by the State agencies. Between October and December 2014, the surveys were sent to all of these HCBS providers. Multiple copies of the setting-specific survey were sent to each agency so that agency staff could report on each non-residential setting operated by its agency. As was done with the residential settings surveys, UIS researchers sent post card reminders and a second set of surveys. Surveys could be submitted electronically or through the US mail. Providers who had not responded by a certain date were called and their surveys were completed over the phone. 214 of the 218 (98.1%) completed surveys. These agencies operate 409 non-residential HCBS settings in Illinois.

### *Documents Related to Surveys*

Copies of the letters of introduction, blank survey forms, the Executive Summaries and the analysis of the responses to the surveys can be found at the HFS website at:

<http://www2.illinois.gov/hfs/MedicalPrograms/HCBS/Transition/Pages/default.aspx>;

### *Program Infrastructure Compliance and Estimates of Sites in Compliance*

The State's methodology for assessing compliance for both residential and non-residential HCBS settings includes a stratification of the groupings based on an evaluation of the level of their current compliance with the federal regulations.

### *Description of Setting*

The survey results assist the State in identifying settings to target for a site/setting validation visit. Sites may fall into one of three groupings as defined by the methodology and subsequent categorization of the data and recommendations of UIS in each of the survey reports (See Appendices B and C). Both residential and non-residential surveys had questions relating to the location of the site.

The following question was asked:

*Which of the following best describes your setting:*

- ☐ *Physically connected to a hospital, nursing setting, institution for mental disease, or an intermediate care setting for individuals with intellectual disabilities.*
- ☐ *Not physically connected but on the grounds or adjacent to a hospital, nursing setting, institution for mental disease, or an intermediate care setting for individuals with intellectual disabilities.*
- ☐ *Not physically connected or adjacent hospital, nursing setting, institution for mental disease, or an intermediate care setting for individuals with intellectual disabilities.*

The categories were identified in the federal CMS guidance dated September 5, 2014 titled, *Statewide Transition Plan Toolkit for Alignment with the Home and Community-Based Services (HCBS) Final Regulation's Settings Requirements*.

Responses to the question targeting description of setting location showed that 74 residential and 34 non-residential site/settings fall into what may be considered as non-integrated settings.

In addition, settings were asked to identify whether they are a group housing unit (not a single apartment unit), a single housing unit or apartment, a farmstead, a gated or secured community whose residents do not have the ability to leave, a residential school, an apartment building, or a campus or multiple-setting site. Any site that identified itself as a farmstead, a gated or secured community, or a campus or multiple-setting site was added to the State's Category 3 (described below), so that it would be subjected to heightened scrutiny.

#### *Level of Autonomy and Frequency of Behavior*

Most of the survey questions fell into categories pertaining to Levels of Autonomy and Frequency of Independent Behavior. In response to these sets of questions, all the sites are presumed to fall into Category 1 or a combined category representing #2, #3 or #4 as described below. No site will require removal or heightened scrutiny based upon policies and procedures. The State plans to modify its statutes and language relating to rules, policies and procedures and bring those sites that need strengthening into compliance during the next four years.

Analysis of the data pertaining to Levels of Autonomy and Frequency of Independent Behavior resulted in three groupings. These groupings are:

1. Completely meet expectations or full compliance -- These are community-based HCBS waiver settings that scored between "2" and "5" on the "Level of Autonomy" and between "2" and "4" on the "Frequency of Independent Behavior" scores on the survey instruments;
2. Partially meet expectations or appearing not to meet expectations, but may present evidence showing that they do have the qualities of HCBS settings -- These are entities that scored below a "2"

on the “Level of Autonomy” or “Frequency of Independent Behavior” scores on the survey instruments.

3. Do not meet expectations -- These are entities that are reporting to be physically connected to a hospital, nursing facility, institute for mental diseases, or a public intermediate care facility for individuals with intellectual disabilities.

For the Level of Autonomy scores, the five point Likert scale includes two positive responses (strongly agree and somewhat agree) and neutral response (neither agree nor disagree) and two negative responses (strongly disagree and somewhat disagree). Settings with a score of 2 or lower had a negative overall autonomy score and were included in the non-compliant list. The majority of settings had scores above 3.

The Frequency of Independent Behaviors score is calculated using a four-point frequency measure ranging from “All of the Time” (4), “Most of the Time” (3), “Some of the Time” (2), “Never” (1). A setting with an average below two would have infrequent independent behaviors..

Category #1 above falls into federally defined categories of #1 below. Category #2 above falls into federally defined Category #2 below and Category #3 above falls into #4 below.

#### Federally Defined Categories

The four federally defined categories are:

1. Fully align with the federal requirements.

Using the results of both types of surveys, Illinois has 1533 residential sites and 378 non-residential sites that meet the federal requirement. It should be noted that these sites appear to align with federal requirements. Many of these sites may require modification to policies and practices in order to comply fully.

2. Do not comply with the federal requirements and will require modification.
3. Cannot meet the federal requirements and require removal from the program and/or relocation of participants.
4. Presumably non-home and community-based, but for which the State will provide justification/evidence to show that those settings do not have the characteristics of an institution and do have the qualities of home and community-based settings (heightened scrutiny).

For Categories #2, #3 and #4, the State is again combining the results of both residential and non-residential settings. There were 109 residential and 25 non-residential settings which scored below a 2 on either the “Level of Autonomy” or “Frequency of Independent Behavior” on the survey instruments. When we combine these settings with the settings that report to be not integrated sites due to existing location (mentioned previously), 125 residential and 31 non residential sites appear to not meet the federal requirement. It is only after site visits to validate the survey results; feedback from participants, including additional surveys; focus groups; conversations with the management and staff; and record reviews can the State make the final determination to remove the site as an option for waiver participants or recommend for heightened scrutiny. These 156 settings/sites will be prioritized and set for site validation visits within the first year. The State recognizes the urgency to comply with federal regulations.

While completion of the provider survey was required, it was a self-administered instrument, and the intent as described in correspondence from the State was to obtain a “snapshot” of existing compliance. Those community agencies that self-identified as being connected to or on the grounds of an institutional setting, or as a farmstead, a gated community, or part of a multi-setting campus will receive immediate attention and an individualized plan developed to achieve compliance with the new regulations, with the State’s collaboration and assistance.

The State will also use a layered approach to validate the survey responses for providers that do not self-identify in a way that triggers heightened scrutiny. The State will either perform or facilitate on-site validation visits to confirm the results of a statistically valid sample of surveys for State Category 1 and Category 2 settings. These validation visits will include case record file reviews and a review of the setting survey with setting staff, meetings with participants, and input from any advocates who are at or have a presence at the site. The State will also select a sampling of participants to complete a version of the self-assessment survey that was completed by the settings, and compare the results. In addition, the State will employ as additional evidence the licensure documents it obtained and reviewed as part of the process for identifying settings to receive surveys. Finally, the State agencies will leverage their familiarity with the settings to require a site visit for any settings that erroneously failed to self-identify as a type of setting that should receive heightened scrutiny.

The site validation visits that will be performed at all Category 3 settings and at a statistically valid sample of Categories 1 and 2 settings, was updated based on public comments from 8 persons regarding our survey process and 80 persons regarding the value of specific HCBS settings. As a result, the State has strengthened its approach in obtaining participant feedback as a component of the site/setting validation visits. The process will include:

- 1) Distribution of a setting survey to site/setting participants and/or their representatives;
- 2) A focus group or series of focus groups depending on the size of the site/setting with participants and/or their representatives;
- 3) Meetings with key staff at the site/setting which include reviews of the self-administered survey, internal policies and procedures and documentation of community integration; and
- 4) Sample file reviews looking at individual participants’ Plans of Care.

The State also intends to explore the administration of a randomized waiver participant survey across the nine waivers.

These qualitative methods will inform recommendations should the site fall under the “Heightened Scrutiny” category as described in the regulations.

In addition, the validation of the survey results and the activities described above through the site/setting visits will further inform the State as to the system-wide changes that will need to be made to statutes, policies and procedures. The State anticipates that some HCBS waiver provider agencies are likely to be models of best practice and other community agencies may be candidates to participate in focused training in order to comply with the CMS regulations.

The State's methodology for assessment of compliance with the new regulations, including the qualitative methods described above, will inform and produce specific recommendations regarding system-wide changes that will promote individual autonomy and community integration. The resulting recommendations will be used to define the process and the content of changes to State statutes, State agency departments' policies and procedures and the requirements of particular sites' policies, procedures and practices.

It is expected that at the conclusion of all site visits, an update to the matrixes (Appendices A & G) will occur as well as the development of individualized action plans for sites that require change.

*Components of the Participant Surveys to be Used at Site/Setting Validation Visits*

A survey is to be developed to further validate compliance of the site/setting with participants. A tool will include the following topics:

- a) The setting ensures individual rights of privacy, dignity, respect and freedom from coercion and restraint.
- b) The setting optimizes individual initiative, autonomy and independence in making life choices.
- c) The setting facilitates individual choice regarding services and supports and who provides them.
- d) The setting provides opportunities to seek employment and work in competitive integrated settings, engage in community life and control personal resources.
- e) The setting is integrated and supports access to the greater community.
- f) The setting provides opportunities to engage in community life.
- g) The setting provides opportunities to control personal resources.
- h) The setting provides opportunities to receive services in the community to the same degree of access as individuals not receiving Medicaid HCBS.
- i) The setting is selected by the individual from among options including non-disability specific settings and a private unit in a residential setting.
- j) If provider-owned or controlled, the setting provides a specific unit/dwelling that is owned, rented or occupied under a legally enforceable agreement.
- k) If provider-owned or controlled, the setting provides the same responsibilities/protections from eviction as all tenants under landlord tenant law of state, county, city or other designated entity.
- l) If the setting is provider-owned or controlled, the tenant laws do not apply, the state ensures that a lease, residency agreement or other written agreement is in place providing protections to address eviction processes and appeals comparable to those provided under the jurisdiction's landlord tenant law.
- m) If the provider-owned or controlled, the setting provides that each individual has privacy in his or her sleeping or living unit.
- n) If provider-owned or controlled, the setting provides units with lockable entrance doors, with appropriate staff having keys to doors as needed.
- o) If provider-owned or controlled, the setting provides individuals who are sharing units with a choice of roommates.
- p) If provider-owned or controlled, the setting provides individuals with the freedom to furnish and decorate their sleeping or living units within the lease or other agreement.
- q) If provider-owned or controlled, the setting provides individuals with the freedom and support to control their schedules and activities and have access to food any time.
- r) If provider-owned or controlled, the setting allows individuals to have visitors at any time.
- s) If provider-owned or controlled, the setting is physically accessible to the individual.

These same areas will be included as discussion points in all focus group meetings to assure HCBS rules are addressed and consistent.

#### *Independent approach to site visits*

Residential and non-residential provider surveys were self-administered surveys that provided the State with an initial assessment of compliance with the new regulations. The State values an independent approach to the validation of the survey results that incorporates skilled reviewers that are open to discovery. The State intends to develop a multi-disciplinary team to conduct the site visits consisting of representatives of each of our state agencies operating a waiver and HFS, as the State Medicaid authority.

#### Communication/Stakeholder Input

The State posted its draft Transition Plan on the website listed below on January 23, 2015. This date represented a slight delay as our original intent was to have it available on January 15, 2015. The Second Public Notice noted that the opportunity for public comment was available through February 24, 2015, which actually exceeded the expectation of 30 days of public comment by two days. These efforts provide the minimum of two public notices. In addition, several other efforts to inform and engage the public are described in the next few subsections.

#### *Website*

HFS established a website to inform Stakeholders on the new HCBS waiver regulations as well as maintain interactive communication regarding the Draft Transition Plan. The URL for that website follows:

<http://www2.illinois.gov/hfs/MedicalPrograms/HCBS/Pages/default.aspx>

Links to this website were posted on each of our waiver operating agencies websites including the Departments of Human Services and Aging.

The webpage includes general information about the new HCBS regulations, including links to the final regulations as included in the Federal Register (42 CFR 441.301 c (4)(5) and 441.710(a)(1)(2) as well as CMS specific guidance and Fact Sheets on the HCBS settings requirements. There is a link to an e-mail address where feedback and questions from the public may be submitted. That link will continue to remain available during the four-year implementation period. A compilation of all comments is being posted with the all commenter identifiers removed. Summaries of comments presented orally, received electronically or mailed to the State, as well as the State's response has been added to this Transition Plan (Appendix H). Information regarding opportunities to participate in Public Forums in order to learn more about the new regulations and/or to present comments to the State was listed on this webpage. Information regarding requesting hard copies of the Transition Plan was also available on this website, as well as all flyers that were distributed. A telephone number and mailing address was provided. This Transition Plan has been posted to the website.

#### *Public Notice and Flyer*

Two public notices were published in the Illinois Register and a flyer was distributed by the State to the providers and advocacy groups who, in turn, were requested to distribute it to their participants/members. In addition, HFS sent an Information Memo to all Supportive Living programs and asked that the flyer (Appendix F) be shared with participants. Similarly, the Illinois Department on Aging and the Illinois

Division of Developmental Disabilities distributed the flyer to their service providers and in turned shared with waiver participants.

Public notice and a copy of the draft Plan was sent to the Indian Health Service, Illinois' designated representative of First Nation constituents in our State. The Public notices provided a brief description of the new rule, requirements and links to the website as well as a mailing address and a phone number which the public could use to request a paper copy of the Transition Plan and to make comments or ask questions. Details regarding the six Public Forums held and the Public Notices may be found in Appendix D and E.

All of these outreach efforts demonstrated multiple strategies to reach waiver participants and stakeholders to engage them in the process and to obtain public input.

#### *Webinar*

The State held a webinar on February 11, 2015. This webinar was targeted to – HCBS waivers providers and provider organizations and to HCBS waiver participants and their families, guardians and representatives. Information regarding this webinar may be found in Appendix F. It included a “Chat” feature. A log of the Chat Box was maintained with all comments documented and included in the Summary of Public Input (Appendix H). During the webinar a phone number and mailing address was provided to further direct comments and questions.

#### *Regional Public Listening Forums*

Six Regional Public Listening Forums were held at accessible locations throughout the State during the 32-day public comment period originally planned for January 15, 2015 - February 15, 2015 and subsequently extended to February 24, 2015. There was no cost to attend. Parking was available at all locations and accommodations were provided when requested to anyone who might need assistance with communication. Attendees were informed of the new HCBS regulations and its implications for HCBS settings and were given the opportunity to provide feedback and to ask questions. Those who commented were asked to submit a written version of their comments at the Forum. All written received and oral comments were transcribed and included in the Summary of Public Input (Appendix H). The public notices and flyer used to inform stakeholders of these forums are in Appendices D, E and F.

The following is the list of the public forums held:

PUBLIC FORUM SCHEDULE		
Thursday January 29, 2015	Parkland College Room W-115 2400 West Bradley Ave Champaign, IL 61821	10:30am – Noon
Thursday January 29, 2015	EPIC 1913 West Townline Rd Peoria, IL 61612	3:00pm – 4:30pm
Tuesday February 3, 2015	Spring Ridge Senior Housing Community Room 6645 Fincham Dr Rockford, IL 61108	1:30pm – 3:00pm
Wednesday February 4, 2015	University of Illinois-Chicago Disability, Health & Social Policy	10:30am – Noon

	Building Auditorium, Room 166 1640 West Roosevelt Rd Chicago, IL 60608	
Wednesday February 4, 2015	The ARC 20901 LaGrange Rd, Suite 209 Frankfort, IL 60423	2:00pm – 3:30pm
Tuesday February 10, 2015	Rend Lake College Student Center – Private Dining Area 468 North Ken Gray Parkway Ina, IL 62846	1:00pm – 2:30pm

#### *Communication with the Regional CMS Project Officer*

The Draft Statewide Transition Plan was forwarded to the Regional CMS Project Officer. A copy of this Statewide Transition Plan submitted on March 16, 2015 will be forwarded as well.

#### *Communication with Provider Organizations and Consumer Groups*

Over the past six months, representatives from HFS as well as sister State agencies, presented on the new HCBS regulations at numerous conferences and workshops, including the Annual Governor's Conference on Aging & Disability Conference, the Illinois Association of Rehabilitation Facilities Annual Conference, the Illinois Council on Developmental Disabilities monthly meeting, the Supportive Living Facility Association monthly meeting, the Medicaid Managed Care Association monthly meeting, and the Governor's Office of Healthcare, Innovation and Transformation monthly meetings. Based upon public input, more education is needed and will be provided as part of the agenda in future stakeholder meetings and at the site/setting validation visits.

#### Remediation Strategies

##### *Revision of Administrative Codes, Statutes and Waivers*

As part of this Transition Plan, an initial legal and policy review of Illinois' existing administrative rules, statutes, regulations, and licensing standards was completed by counsel and policy staff from each impacted State agency and/or divisions that operate HCBS waivers. This review included the identification of codes and statutes that may need to be amended in order to comply with the new HCBS regulations. During the first year of implementation, further review with specific remediation strategies, including changes in licensing and provider qualifications and language will be developed. Responsible parties within each State agency will be required to ensure that actions to implement these changes are taken, overseen by HFS General Counsel's Office. A plan to affirm compliance regarding administrative codes, statutes and waivers may be found at in Appendix A.

##### *Agency and Program Procedures and Policies – System wide Compliance and Remediation Strategies*

The State's remediation strategy intends to encompass both system-wide compliance and provider-specific compliance. Based on further analysis of the survey responses, information gained during site visits, and comments from the public, advocacy groups, participants and families, the State anticipates making revisions to policies and procedures in the areas of autonomy, community engagement, transportation, employment opportunities, and settings' amenities and accommodations. In response to public input, the State will

utilize its existing stakeholder groups that advise waiver implementation to review revisions to policies and procedures relating to HCBS settings rules to ensure public input.

An analysis of HCBS waiver service definitions will be completed in the first year. A review of program descriptions, factsheets and electronic and hard copy versions of informational materials will be completed to ensure compliance with the new regulations. The State will also utilize its existing stakeholder groups to review these materials prior to implementation to ensure public input.

Based upon follow-up site validation visits to provider settings, the State agencies under whose jurisdiction these settings operate along with HFS, will notify providers who are not in compliance with the new regulations. Specific explanations are to be presented to the providers regarding areas of their service setting and practice which do not comply with the new regulations, and the State will provide the setting of specific actions to be taken, timetables for completion of those actions, and the documentation required to ensure compliance. The State will work with each site to develop a remediation plan based on the issues identified on the validation visit. While the development of specific strategies to bring providers who are not fully in compliance are incorporated into the Transition Plan, the process for coming into compliance may include the following steps:

- Providers may implement requested changes and/or provide additional information;
- The State may provide guidance regarding areas needing additional remediation and establish timeframes for remedial actions to be completed;
- Provider groups under the direction of the State may work together to assist each other in bringing their programs into compliance;
- Providers may submit scheduled progress reports to the State on the changes they are making;
- Successful actions completed by providers to bring their settings into compliance may be posted on the HFS website, in order to inform the public as well as assist other providers;
- The State may complete an on-site visit to assure that required changes have been made.

Each corrective action plan will be addressed at a subsequent onsite visit to ensure that corrective action steps have been incorporated into policy and practice at the site/setting. Any resultant remediation needed will be dealt with on a case-by-case basis. However, no site will be allowed to continue serving participants without compliance to the HCBS settings rules.

The OA will monitor initial compliance with the site/setting corrective action plan and once compliance has been validated, the corrective action will be addressed at the first subsequent onsite visit.

By 2019, the OA will affirm that each site/setting that had a corrective action plan in place, be in compliance.

Site/settings that will not have a specific site/setting validation visit will be sent the same Site-Specific Compliance Document and be required to implement any change at the local level to be assured they are in compliance. When the site/setting is up for their routine quality assurance visit, the site will be held accountable to the final HCBS regulations

### *The "Heightened Scrutiny" Process*

The State intends to make a recommendation as to whether Illinois' HCBS settings qualify for "Heightened Scrutiny" on a case-by-case basis. The State will complete an on-site visit and obtain public/stakeholder input in order to make a determination regarding the setting's "Heightened Scrutiny" classification. This

process includes: 1) a participant survey to be distributed to site/setting participants and/or their representative; 2) a focus group or series of focus groups depending on the size of the site/setting with participants and/or their representatives; 3) meetings with key staff at the site/setting to review of the self-administered survey, internal policies and procedures and documentation of community integration; and 4) sample file reviews looking at individual participant's Plans of Care.

The State may request additional stakeholder feedback and documentation from the setting provider in order to make an informed decision regarding the status of the site in relationship to the regulations.

Once the State reaches a decision regarding the status, it will forward this recommendation and the accompanying documentation to CMS. CMS will subsequently report its decision to the State. Depending upon the decision reached by CMS, the State, in collaboration with the setting provider, will determine if any remediation steps are necessary.

#### *Relocating HCBS Waiver Participants*

The State intends to work with HCBS waiver providers to bring their settings into compliance with the new regulations. When remediation actions have failed, it will become necessary to inform participants and their families, guardians or representatives that an alternate compliant setting will need to be selected. Recognizing the significant consequences of this disruption for the participants, this action of terminating service provision at a non-complying setting will be taken only when all alternatives have been exhausted. Efforts will be made to notify the participants of the need to select an alternate location and of the various service settings available as soon in the process as possible. With any transition, the participant will be offered informed choice of available options. The best efforts by all entities involved, including the State and care coordinators, will be maximized to ensure the participant's health, welfare and safety and a smooth and seamless transition.

#### *Revising Provider Requirements*

In addition to the analysis of State statutes, policies and procedures, the State intends to review the existing HCBS waiver service definitions in all existing waivers over the next four years. This review is to occur for any new waiver and starting in Year 1, the renewal of existing waivers that may occur beginning in the Fall of 2015. This will help to ensure service options are available and definitions of these services comport with federal CMS HCBS settings requirements. In addition, provider contract language will be reviewed, and revised if necessary, to ensure compliance. Similar language will also be included in the State's managed care contracts as these are reviewed to ensure compliance.

#### *Implementation of Consistent, Statewide Provider Training*

The State will develop and deliver a consistent training curriculum that incorporates the vision of the new HCBS regulations as well as the compliance requirements. Initial training topics to be addressed include: facilitation of informed choice, community inclusion, philosophy of person-centered planning and the development of a participant-centered plan, participant directed services and supports, and the dignity of risk. The State intends to make waiver participants and their families/guardians aware of the new rules and their impact on the services in which they participate.

#### Assurances of Service Options and Choice

In addition, the State intends to review service options to ensure choice in all existing waivers over the next four years. This review is to occur for any new waiver and starting in Year 1, the renewal of existing waivers

that may occur beginning in the Fall of 2015. Over 60 comments were obtained in the public input process asking for these assurances. In addition at all waiver Participant Centered Planning meetings feedback will be sought from the participant and the participant's family or guardian regarding the access to community activities, choice of accommodations, roommates, and services. The annual review should validate the inclusion of participant goals and satisfaction with services. A template will be created or existing forms modified to ensure that these topic areas are covered during that review. Family members or guardians will be included in this process, as appropriate. Waiver participants and/or family members and guardians will continue to be informed of the mechanism for providing concerns or complaints. A statement of the participant's rights will be created or existing forms modified and distributed to the participant and guardian as appropriate.

### Monitoring of Ongoing Compliance

As part of its current waiver oversight process, the State schedules regular provider visits to gauge their compliance with waiver requirements. The State will incorporate HCBS requirements into these regular compliance reviews. Regularly-scheduled on-site audits completed by the State, or entities contracted with the State that oversee HCBS performance measures, will also incorporate reviews of all revised materials, including the participant-centered plans that note the options offered and the choices made by the participant or his/her guardian. In collaboration with each of the operating waiver agencies, HFS will review the current waiver assurances and revise as necessary to comport with the new regulations. Subsequently, accompanying performance measures may be added that gauge choice and community integration. These will be included during the quality assurance reviews conducted by the External Quality Review Organizations (EQRO) as well as those conducted by the State departments and divisions. The State has also included assurances of compliance in its waiver renewal submissions for its HCBS waivers.

Settings found to be out of compliance with the new regulations during these routine reviews will be required to submit and have approved a corrective action plan with a timeframe for its completion. Failure to complete that plan may jeopardize the agency's certification and participation in the waiver program. Progress on the corrective action plan will be monitored by the EQRO at each site visit, as well as by the State through its requirement that the setting submit appropriate documentation as evidence of its progress toward compliance. The EQRO will inform the OA of any concerns related to the implementation of the corrective action plan.

The HFS website with its link to an e-mail address will continue to be an option for those who want to provide feedback, ask questions or express their concerns to HFS regarding any of the settings offering home and community-based waiver services.

The State will monitor progress on the implementation of the Statewide Transition Plan on an ongoing basis and will report on the status of the implementation, through posted updates on the HFS website. There will continue to be an opportunity for public comment and input provided through the website.

### Action Steps and Timetable to Bring Illinois into Compliance

The work plan illustrating Illinois' identified action steps and timeline for all deliverables to bring the State into compliance with the federal rules may be found in Appendix G of this Plan. This document, along with the implementation of the Statewide Transition Plan is viewed as a process. As the State continues its assessment and remediation strategies, it may discover additional policies, procedures and forms that will require modification.

Appendix A State Statutes, Policies and Procedures			
Cite State Regulation and/or Licensing Requirements (Insert Rule & Chapter #'s)	Summary of State Regulation - Include Existing Language	Action Steps	Targeted Completion Date
<b>APPLIES TO ALL ILLINOIS WAIVER PROGRAMS - HCBS Waiver for Persons with Brain Injury 0329, HCBS Waiver for Persons with HIV or AIDS - 0202 and Physically Disabled - 0142, HCBS Waiver for Persons Who are Elderly - 0143, Illinois Supportive Living Program - 0326, HCBS Waiver for Adults with Developmental Disabilities - 0350, Support Waiver for Children and Young Adults with Developmental Disabilities - 0464; Residential Waiver for Children and Young Adults with Developmental Disabilities - 0473, HCBS Waiver for Children who are Medically Fragile, Technology Dependent – 0278</b>			
89 IL Admin Code Chapter I - Department of Healthcare and Family Services	140 Subpart A - General Provisions	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18
89 IL Admin Code Chapter I - Department of Healthcare and Family Services	140 Subpart B - Medical Provider Participation	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18

89 IL Admin Code Chapter I - Department of Healthcare and Family Services	140 Subpart C - Provider Assessments	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18
89 IL Admin Code Chapter I - Department of Healthcare and Family Services	140 Subpart D - Payment for Non-Institutional Services	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18
89 IL Admin Code Chapter I - Department of Healthcare and Family Services	140 Subpart E - Group Care	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18

<b>WAIVER PROGRAMS OPERATED BY DHS-DRS - HCBS Waiver for Persons with Brain Injury 0329, HCBS Waiver for Persons with HIV or AIDS - 0202 and Physically Disabled - 0142,</b>			
89 IL Admin Code Chapter IV - Department of Human Services	676.10 through 676.40 - General Program Provisions	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18
89 IL Admin Code Chapter IV - Department of Human Services	676.100 through 676.150 - Case Management	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18
89 IL Admin Code Chapter IV - Department of Human Services	677.10 through 677.200 Customer Rights and Responsibilities	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18

89 IL Admin Code Chapter IV - Department of Human Services	679.10 through 679.50 - Determination of Need (DON) and Resulting Service Cost Maximums (SCMS)	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18
89 IL Admin Code Chapter IV - Department of Human Services	681.10 through 681.70 - Prescreening	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18
89 IL Admin Code Chapter IV - Department of Human Services	682.10 through 682.520 - Eligibility	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18

89 IL Admin Code Chapter IV - Department of Human Services	684.10 through 684.100 - Service Planning and Provisions	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18
89 IL Admin Code Chapter IV - Department of Human Services	686.10 through 686.800 - Personal Assistants	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18
89 IL Admin Code Chapter IV - Department of Human Services	686.100 through 686.140 - Adult Day Care Providers	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18

89 IL Admin Code Chapter IV - Department of Human Services	686.200 through 686.280 - Homemaker Services	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18
89 IL Admin Code Chapter IV - Department of Human Services	686.300 through 686.350 - Electronic Home Response Services	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18
89 IL Admin Code Chapter IV - Department of Human Services	686.400 - Maintenance Home Health Provider Requirements	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18

89 IL Admin Code Chapter IV - Department of Human Services	686.500 - Home Delivered Meals	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18
89 IL Admin Code Chapter IV - Department of Human Services	686.600 through 686.640 - Environmental Modifications	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18
89 IL Admin Code Chapter IV - Department of Human Services	686.700 through 686.730 - Assistive Equipment	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18

89 IL Admin Code Chapter IV - Department of Human Services	688.10 through 688.70 - Illinois Long-Term Care Partnership Program	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18
<b>Applies Only to HCBS Waiver for Persons with Brain Injury 0329</b>			
89 IL Admin Code Chapter IV - Department of Human Services	686.1000 through 686.1040 - Case Management Services to Persons with Brain Injuries	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18
89 IL Admin Code Chapter IV - Department of Human Services	686.1100 through 686.1140 - Behavioral Services Provider Requirements	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18

89 IL Admin Code Chapter IV - Department of Human Services	686.1200 - Day Habilitation Services for Persons with Brain Injury	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18
89 IL Admin Code Chapter IV - Department of Human Services	686.1200 - Day Habilitation Services Provider Requirements	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18
89 IL Admin Code Chapter IV - Department of Human Services	686.1300 - Prevocational Service - Provider Requirements	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18

89 IL Admin Code Chapter IV - Department of Human Services	686.1400 - Supported Employment Service Provider Requirements	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18
<b>Applies Only to HCBS Waiver for Persons with HIV or AIDS</b>			
89 IL Admin Code Chapter IV - Department of Human Services	686.900 through 686.940 Case Management Services to Persons with HIV or AIDS	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18
<b>HCBS Waiver for Persons Who are Elderly – 0143</b>			
89 IL Admin Code Chapter II -Dept on Aging	240.160 - Definitions	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18

89 IL Admin Code Chapter II -Dept on Aging	240.210 - In-Home Service	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18
89 IL Admin Code Chapter II -Dept on Aging	240.230 - Adult Day Service	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18
89 IL Admin Code Chapter II -Dept on Aging	240.235 - Emergency Home Response Service (EHRS)	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18

89 IL Admin Code Chapter II -Dept on Aging	240.237 - Automated Medication Dispenser	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18
89 IL Admin Code Chapter II -Dept on Aging	240.1505 through 240.1590 - Providers	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18
IL Dept on Aging Program Instruction Manual (PIM)		The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18

IL Dept on Aging RFQ for Adult Day Service		The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18
<b>HCBS Waiver for Children who are Medically Fragile, Technology Dependent – 0278</b>			
89 IL Admin Code Chapter I Department of Healthcare and Family Services Part 120 Medical Assistance Programs	120.530 - HCBS for Medically Fragile Technology Dependent Children Under the Age of 21	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18
Program Instruction Manuals		The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18

Illinois Supportive Living Program – 0326			
89 IL Admin Code Chapter 1 Department of Healthcare and Family Services Part 146 Specialized Healthcare Delivery System	146.200 General Description	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18
89 IL Admin Code Chapter 1 Department of Healthcare and Family Services Part 146 Specialized Healthcare Delivery System	146.205 Definitions	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18
89 IL Admin Code Chapter 1 Department of Healthcare and Family Services Part 146 Specialized Healthcare Delivery System	146.210 Structural Requirements,	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18

89 IL Admin Code Chapter 1 Department of Healthcare and Family Services Part 146 Specialized Healthcare Delivery System	146.215 Participant Requirements	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18
89 IL Admin Code Chapter 1 Department of Healthcare and Family Services Part 146 Specialized Healthcare Delivery System	146.220 Resident Participation Requirements	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18
89 IL Admin Code Chapter 1 Department of Healthcare and Family Services Part 146 Specialized Healthcare Delivery System	146.225 Reimbursement for Medicaid Residents	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18

89 IL Admin Code Chapter 1 Department of Healthcare and Family Services Part 146 Specialized Healthcare Delivery System	146.230 Services	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18
89 IL Admin Code Chapter 1 Department of Healthcare and Family Services Part 146 Specialized Healthcare Delivery System	146.235 Staffing	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18
89 IL Admin Code Chapter 1 Department of Healthcare and Family Services Part 146 Specialized Healthcare Delivery System	146.240 Resident Contract	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18

89 IL Admin Code Chapter I Department of Healthcare and Family Services Part 146 Specialized Healthcare Delivery System	146.248 Assessment and Service Plan and Quarterly Evaluation	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18
89 IL Admin Code Chapter 1 Department of Healthcare and Family Services Part 146 Specialized Healthcare Delivery System	146.250 Resident Rights	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18
89 IL Admin Code Chapter 1 Department of Healthcare and Family Services Part 146 Specialized Healthcare Delivery System	146.265 Records and Reporting	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18

89 IL Admin Code Chapter 1 Department of Healthcare and Family Services Part 146 Specialized Healthcare Delivery System	146.630 Resident Participation	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18
Program Instruction Manuals		The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18
Request for Proposal Requirements and Forms		The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18

<b>WAIVER PROGRAMS OPERATED BY DHS-DDD - HCBS Waiver for Adults with Developmental Disabilities - 0350, Support Waiver for Children and Young Adults with Developmental Disabilities - 0464; Residential Waiver for Children and Young Adults with Developmental Disabilities – 0473</b>			
59 IL Admin Code Chapter I Department of Human Services Part 115 Standards and Licensure Requirements for Community Integrated Living Arrangements	115.00 through 115.120 - General Provisions	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18
59 IL Admin Code Chapter I Department of Human Services Part 115 Standards and Licensure Requirements for Community Integrated Living Arrangements	115.200 through 115.250 - Service Requirements	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18
59 IL Admin Code Chapter I Department of Human Services Part 115 Standards and Licensure Requirements for Community Integrated Living Arrangements	115.300 through 115.330 General Agency Requirements	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18
59 IL Admin Code Chapter I Department of Human Services Part 115 Standards and Licensure Requirements for Community Integrated Living Arrangements	115.500 through 115.710 Host Family Living Arrangements	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18

59 IL Admin Code Chapter I Department of Human Services Part 116 Administration of Medication in Community Settings	116.10 - 116.110 Administration of Medication in Community Settings	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18
59 IL Admin Code Chapter I Department of Human Services Part 117 Family Assistance and Home-Based Support Programs for Personal with Mental Disabilities	117.100 through 117.145 General Provisions	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18
59 IL Admin Code Chapter I Department of Human Services Part 117 Family Assistance and Home-Based Support Programs for Personal with Mental Disabilities	117.200 through 117.240 Home Based Support Services Program	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18
59 IL Admin Code Chapter I Department of Human Services Part 117 Family Assistance and Home-Based Support Programs for Personal with Mental Disabilities	117.300 through 117.350 Family Assistance Program	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18

59 IL Admin Code Chapter I Department of Human Services Part 119 Minimum Standards for Certification of Developmental Training Programs	119.100 through 119.120 General Provisions	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18
59 IL Admin Code Chapter I Department of Human Services Part 119 Minimum Standards for Certification of Developmental Training Programs	119.200 through 119.270 Program Requirements	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18
59 IL Admin Code Chapter I Department of Human Services Part 119 Minimum Standards for Certification of Developmental Training Programs	119.300 through 119.330 Certification Requirements	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18
59 IL Admin Code Chapter I Department of Human Services Part 120 Medicaid Home and Community-Based Services Waiver Program for Individuals with Developmental Disabilities	120.10 through 120.50 General Provisions	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18

59 IL Admin Code Chapter I Department of Human Services Part 120 Medicaid Home and Community-Based Services Waiver Program for Individuals with Developmental Disabilities	120.70 through 120.120 System Components	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18
59 IL Admin Code Chapter I Department of Human Services Part 120 Medicaid Home and Community-Based Services Waiver Program for Individuals with Developmental Disabilities	120.100 through 120.120 Individual Rights and Responsibilities	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18
Program Instruction Manuals		The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18
Request for Proposal Requirements and Forms		The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18

DEFINITIONS - The following terms, as defined by federal guidance will be incorporated in Illinois' HCBS rules, regulations, policies and procedures. These terms are included here to better inform stakeholders of key components of the new CMS rules of which service settings must comply. Additional terms may be modified or added to this list.			
Word to be Defined	Site Federal Rule Definition	Action Steps	Target Completion Date
Conflict of Interest Standards	The State must define conflict of interest standards that ensure the independence of individual and agency agents who conduct (whether as a service or an administrative activity) the independent evaluation of eligibility for State plan HCBS, or who are responsible for the development of the service plan. The conflict of interest standards apply to all individuals and entities, public or private. At a minimum, these agents must not be any of the following: (1) Related by blood or marriage to the individual, or to any paid caregiver of the individual; (2) Financially responsible for the individual; (3) Empowered to make financial or health-related decisions on behalf of the individual; (4) Holding financial interest, as defined in 411.354 of this Chapter, in any entity that is paid to provide care for the individual; (5) Providers of State plan HCBS for the individual, or those who have an interest in or are employed by a provider of State plan HCBS for the individual, except when the State demonstrates that the only willing and qualified agent to perform independent assessments and develop person-centered service plans in a geographic area also provides HCBS, and the State devises conflict of interest protections including separation of agent and provider functions within provider entities, which are described in the State plan for medical assistance and approved by the Secretary, and individuals are provided with a clear and accessible alternative dispute resolution process.	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18

Heightened Scrutiny	All settings that fall into the category of Settings that are <b>not</b> Home and Community-Based at 441.301(5) (i) through (v) will be presumed to be a setting that has the qualities of an institution unless the Secretary determines through heightened scrutiny, based on information presented by the State or other parties, that the setting does not have the qualities of an institution and that the setting does have the qualities of home and community-based settings.	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18
Individual's Representative	441.735 Definition of Individual's representative - The term individual's representative means, with respect to an individual being evaluated for, assessed regarding, or receiving State Plan HCBS, the following: (a) the individual's legal guardian or other person who is authorized under State law to represent the individual for the purpose of making decisions related to the person's care or well-being. In instances where state law confers decision-making authority to the individual representative, the individual will lead the service planning process to the extent possible. (b) Any other person who is authorized under 435.923 of this Chapter, or under the policy of the State Medicaid Agency to represent the individual, including but not limited to, a parent, a family member, or an advocate for the individual; (c) When the State authorizes representative in accordance with paragraph (b) of this section, the State must have policies describing the process for authorization; the extent of decision-making authorized; and safeguards to ensure that the representative uses substituted judgment on behalf of the individual. State policies must address exceptions to using substituted judgment when the individual's wishes cannot be ascertained or when the individual's wishes would result in substantial harm to the individual. States may not refuse the authorized representative that the individual chooses, unless in the process of applying the requirements for authorization, the State discovers and can document evidence that the representative is not acting in accordance with these policies or cannot perform	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18

	the required functions. States must continue to meet the requirements regarding the person-centered planning process at 441.725 of this Chapter.		
Legally Enforceable Lease/Residency Agreement	<p>In a provider-owned or controlled residential setting, in addition to the qualities at 441.301(c)(4)(i) through (v), the following additional conditions must be met: (A) The unit or dwelling is a specific physical place that can be owned, rented, or occupied under a legally enforceable agreement by the individual receiving services, and the individual has, at a minimum, the same responsibilities and protections from eviction that tenants have under the landlord/tenant law of the State, county, city, or other designated entity. For settings in which landlord tenant laws do not apply, the State must ensure that a lease, residency agreement or other form of written agreement will be in place for each HCBS participant, and that it addresses eviction processes and appeals comparable to those provided under the jurisdiction's landlord tenant law. (B) Each individual has privacy in their sleeping or living unit: (1) Units have entrance doors lockable by the individual, with only appropriate staffing having keys to doors. (2) Individuals sharing units have a choice of roommates in that setting. (3) Individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement. (C) Individuals have the freedom and support to control their own schedules and activities, and have access to food at any time. (D) Individuals are able to have visitors of their choosing at any time. (E) The setting is physically accessible to the individual. (F) Any modification of the additional conditions, under 441.301(c)(4) (vi) (A) through (D), must be documented in the person-centered service plan.</p>	<p>The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.</p>	7/1/18

Person-Centered Plan	441.301(2)(i)-(xiii) - (2) The person-centered service plan must reflect the services and supports that are important for the individual to meet the needs identified through an assessment of functional need, as well as what is important to the individual with regard to preferences for the delivery of such services and supports commensurate with the level of need of the individual, and the scope of services and supports available under the State's 1915(c) HCBS waiver.	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18
Person-Centered Plan Requirements	.....the written plan must: (i) Reflect that the setting in which the individual resides is chosen by the individual. The State must ensure that the setting chosen by the individual is integrated in, and supports full access of individuals receiving Medicaid HCBS to the greater community, including opportunities to seek employment and work in competitive integrated settings, engage in community life, control personal resources, and receive services in the community to the same degree of access as individuals not receiving Medicaid HCBS. (ii) Reflect the individual's strengths and preferences; (iii) Reflect clinical and support needs as identified through an assessment of functional need; (iv) Include individually identified goals and desired outcomes; (v) Reflect the services and supports (paid and unpaid) that will assist the individual to achieve identified goals and the providers of those services and supports, including natural supports. Natural supports are unpaid supports that are provided voluntarily to the individual in lieu of 1915c HCBS waiver services and supports; (vi) Reflect rest factors and measures in place to minimize them, including individualized back-up plans and strategies when needed; (vii) Be understandable to the individual receiving services and supports, and the individuals important in supporting him or her. At a minimum, for the written plan to be understandable, it must be written in plain language and in a manner that is accessible to individuals with disabilities and persons who are limited English proficient with 435.905(b).	The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.	7/1/18

Home and Community-Based Settings	<p>441.301(4) Home and Community-Based Settings. Home and community-based settings must have all of the following qualities, and such other qualities as the Secretary determines to be appropriate, based on the needs of the individual as indicated in their person-centered service plan:</p> <p>(i) The setting is integrated in and supports full access of individuals receiving Medicaid HCBS to the greater community, including opportunities to seek employment and work in competitive integrated settings, engage in community life, control personal resources, and receive services in the community, to the same degree of access as individuals not receiving HCBS; (ii) The setting is selected by the individual from among setting options including non-disability specific settings and an option for a private unit in a residential setting. The setting options are identified and documented in the person-centered service plan and are based on the individual's needs, preferences, and, for residential settings, resources available for room and board; (iii) Ensures an individual's rights of privacy, dignity and respect, and freedom from coercion and restraint; (iv) Optimizes, but does not regiment, individual initiative, autonomy, and independence in making life choices, including but not limited to, daily activities, physical environment and with whom to interact; (v) Facilitates individual choice regarding services and supports, and who provides them; (vi) In a provider-owned or controlled residential setting, in addition to the qualities at 441.301(c)(4)(i) through (v), the following additional conditions must be met: (A) The unit or dwelling is a specific physical place that can be owned, rented, or occupied under a legally enforceable agreement by the individual receiving services, and the individual has, at a minimum, the same responsibilities and protections from eviction that tenants have under the landlord/tenant law of the State, county, city, or other designated entity. For settings in which landlord tenant laws do not apply, the State must ensure that a lease, residency agreement or other form of written agreement will be in place for each HCBS participant, and that address eviction processes and appeals comparable to those provided under the jurisdiction's landlord tenant law. (B)</p>	<p>The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.</p>	7/1/18
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	<p>Each individual has privacy in his/her sleeping or living unit: (1) Units have entrance doors lockable by the individual, with only appropriate staffing having keys to doors. (2) Individuals sharing units have a choice of roommates in that setting. (3) Individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement. (C) Individuals have the freedom and support to control their own schedules and activities, and have access to food at any time. (D) Individuals are able to have visitors of their choosing at any time. (E) The setting is physically accessible to the individual. (F) Any modification of the additional conditions, under 441.301(c)(4)(vi)(A) through (D), must be documented in the person-centered service plan.</p>		
Settings that are not Home and Community-Based	<p>441.301(5)(i) through (v) Settings that are not Home and Community-Based - Home and community-based settings do not include the following: (i) A nursing facility; (ii) An institution for mental diseases; (iii) An intermediate care facility for disabilities; (iv) A hospital; (v) Any other locations that have qualities of an institutional setting, as determined by the Secretary. Any setting that is located in a building that is also a publicly or privately operated facility that provides inpatient institutional treatment, or in a building on the grounds of, or immediately adjacent to, a public institution, or any other setting that has the effect of isolating individuals receiving Medicaid HCBS from the broader community of individuals not receiving Medicaid HCBS will be presumed to be a setting that has the qualities of an institution unless the Secretary determines through information presented by the State or other parties, that the setting does not have the qualities of an institution and that the setting does have the qualities of home and community-based settings</p>	<p>The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.</p>	7/1/18

<p>HCBS Individual's Sleeping or Living Unit</p>	<p>A unit is the individual's private space and dependent on the waiver and the type of unit offered in setting this can either be a living unit or a sleeping unit. Whichever the individual has will be considered the individual's unit. In a provider-owned or controlled residential setting, in addition to the qualities at 441.301(c)(4)(i) through (v), the following additional conditions must be met: (A) The unit or dwelling is a specific physical place that can be owned, rented, or occupied under a legally enforceable agreement by the individual receiving services, and the individual has, at a minimum, the same responsibilities and protections from eviction that tenants have under the landlord/tenant law of the State, county, city, or other designated entity, For settings in which landlord tenant laws do not apply, the State must ensure that a lease, residency agreement or other form of written agreement will be in place for each HCBS participant, and that it addresses eviction processes and appeals comparable to those provided under the jurisdiction's landlord tenant law. (B) Each individual has privacy in his/her sleeping or living unit: (1) Units have entrance doors lockable by the individual, with only appropriate staffing having keys to doors. (2) Individuals sharing units have a choice of roommates in that setting. (3) Individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement. (C) Individuals have the freedom and support to control their own schedules and activities, and have access to food at any time. (D) Individuals are able to have visitors of their choosing at any time. (E) The setting is physically accessible to the individual. (F) Any modification of the additional conditions, under 441.301(c)(4)(vi)(A) through (D), must be documented in the person-centered service plan.</p>	<p>The State will: 1) Review specific definition in relationship to Rule for need to amend; 2) Develop internal agency group to draft revisions based on Rule and site visits; 3) Solicit input from stakeholders; 4) Determine if legislative action is required; 5) Proceed as appropriate to make required revisions; 6) Implement revisions.</p>	<p>7/1/18</p>
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**Appendix B - UIS Residential Settings Report****Assessment of Illinois Home and Community Based Services  
Agencies Providing Residential Services**

Developed to assist the Illinois Statewide Transition Plan

Conducted by the Survey Research Office, Center for State Policy & Leadership, University  
of Illinois Springfield

(Draft report issued on January 22, 2015)

## Introduction

The purpose of this study is to examine the policies, procedures, and activities of residential settings for Home or Community Based Service waivers. In order to accomplish this, the UIS Survey Research Office, Center for State Policy & Leadership, used a multi-mode methodology in order to allow agencies and settings to self-report on the types of policies and procedures in place throughout settings in Illinois. This report contains four chapters in addition to this introduction.

1. **Scope of Project** - This section provides a brief introduction to the Centers for Medicare and Medicaid Services' (CMS) final rule relating to Home and Community Based Services (HCBS) for Medicaid-funded long term services and supports provided in residential and non-residential home and community-based settings.
2. **Summary of Results** - The purpose of this section is to summarize the results of the two surveys as well as provide an overview of the “Level of Autonomy Score” and the “Frequency of Independent Behaviors Score.” These scores are the numerical values that will be used to identify the key areas of the Illinois Statewide Transition Plan. This section contains four subsections:
  - a. Results from the Agency-Specific Surveys
  - b. Characteristics of the Residential Settings
  - c. Individuals' Access to the Community in Residential Settings
  - d. Individuals' Personal Choice in Care Options in Residential Settings.
3. **Methodology** - This section provides a detailed analysis of the methodological design of this project. There were systematic decisions on how to assess all aspects of the settings from engagement with the community, transportation opportunities, residential/room accommodations, visiting hours, meal options, and personal autonomy and choice in care options. A detailed discussion of these decisions and the methodology employed by UIS researchers is provided in the methodology section.
4. **Survey Report** - This is a topline report which includes complete question wording and the frequency of responses to each of the answer categories.

## Scope of Project

The Centers for Medicare and Medicaid Services (CMS) published its final rule relating to Home and Community Based Services (HCBS) for Medicaid-funded long term services and supports provided in residential and non-residential home and community-based settings. The final rule took effect on March 17, 2014. According to this rule, states are required to submit transition plans to CMS within one year of the effective date indicating how they intend to comply with the new requirements within a reasonable time period.

In an effort to follow the CMS final rule guidance, the Illinois Department of Healthcare and Family Services, along with the Department of Human Services and the Department on Aging, developed several surveys with assistance of researchers from the UIS Survey Research Office in order to assess the State's current compliance with the new regulations specific to the residential and non-residential settings requirements. This report deals specifically with residential settings offered through HCBS waivers. A report discussing non-residential settings will be provided at a later date.

The following Illinois HCBS waivers are included in this analysis:

- Children and Young Adults with Developmental Disabilities
- Children that are Technology Dependent/Medically Fragile
- Persons with Disabilities
- Persons with Brain Injuries (BI)
- Adults with Developmental Disabilities
- Persons who are Elderly
- Persons with HIV or AIDs
- Supportive Living Facilities

The following types of settings are not included in this classification:

- Hospitals
- Institutions for mental diseases
- An *intermediate* care facility for individuals with intellectual disabilities
- Nursing facilities
- Mental health or DASA residential sites
- Residences for private pay residents only
- Individuals receiving care in their private residences/family homes

This report provides the results of the examination of residential settings for Illinois HCBS waivers.

## Summary of Results

The results chapter contains four main sections: Results from the Agency-Specific Surveys, Characteristics of the Residential Settings, Individuals' Access to the Community in Residential Settings, and Individuals' Personal Choice in Care Options in Residential Settings. This executive summary provides an overview of each of the sections as well as a synopsis of the findings. It also provides an overview of the "Level of Autonomy Score" and a "Frequency of Independent Behaviors Score." These scores are the numerical values that will be used to identify the next steps as part of the Illinois Statewide Transition Plan.

### *Results from the Agency-Specific Surveys*

The main survey required from each agency which operates at least one residential setting in Illinois was titled the "Agency-specific survey." Agencies were able to complete this survey online, on a paper form sent via U.S. mail, or over the phone with trained SRO interviewers. Of the 252 agencies identified as operating at least one residential setting for Illinois waiver HCBS participants, 236 completed the agency-specific form. This resulted in a 93.6 percent completion rate among all 252 agencies. The agencies that did not complete the agency-specific form will be contacted by their corresponding state agency in early 2015 in order to assess whether or not these agencies operate residential settings in Illinois. Those that do will be required to complete the agency-specific survey with an individual from the corresponding state agency (Illinois Department of Healthcare and Family Services, the Department of Human Services, or the Department on Aging).

There are three main purposes of the agency-specific survey:

- 1) Determine the number of residential settings in Illinois for HCBS waivers;
- 2) Identify the agencies that have agency-wide policies and procedures that regulate various aspects of the daily operations of their settings;
- 3) Understand the legal policies and restrictions that govern the residential settings.

The main findings of the agency-specific survey are listed below:

- There are currently 1658 residential settings in Illinois.
- The majority of agencies have agency-wide policies that apply to the setting(s) regarding two issues: (a) the living arrangements of the individuals residing at the setting and (b) visitation procedures.
- The majority of agencies do not have agency-wide policies that apply to the setting(s) for the following: (a) limiting individuals' access to food, (b) limiting visiting hours, (c) disallowing individuals from engaging in activities, (d) limiting individual access to personal funds/resources, (e) disallowing individuals from engaging in community activities, (f) limiting employment opportunities. For the frequency of responses to these questions, please see the topline report at the end of this report.
- The majority of agencies report that state, county, or city landlord/tenant laws apply to their settings.
- Slightly more than half of agencies have individual residential/service contracts for the individuals living at the setting while 42.9% of the agencies have blanket residential/service contracts.
- Forty-four percent of agencies do not provide units or dwellings that can be owned, rented or occupied under a legally enforceable agreement by the individual receiving services.

### *Characteristics of the Residential Settings*

The setting-specific survey completed by 1658 residential settings allows researchers to gain unique insight into the demographic characteristics of the residential settings. The demographic section provides three important pieces of information.

- 1) The number of individuals (both Illinois HCBS waivers and others) at each residential setting.
- 2) The physical location and type of building of each setting
- 3) The controlling entity for each of the settings

#### *Number of individuals*

The mean number of individuals supported at each setting is 8.22, with the largest setting supporting 150 individuals. It is important to note that six settings reported that they are not currently supporting any Illinois HCBS waiver participants.

#### *Physical location and type of building*

- Sixteen settings (1%) report that they are “physically connected to a hospital, nursing facility, institution for mental disease, or an intermediate care facility for individuals with intellectual disabilities.”
- Fifty-eight (3.5%) report that while they are not physically connected, they are on the grounds or adjacent to these types of facilities.
- The majority (95.5%) report that they are not physically connect nor adjacent to these type of facilities.

When we examine types of settings, we find that the majority of respondents are Community Integrated Living Arrangements (CILAs). Eighty-nine percent of respondents report that CILA best describes their setting. The table below presents the percent of respondents from each of the categories.

**Table 1. Types of settings**

	Percent ( <i>n</i> )
Community Integrated Living Arrangement (CILA)	89% (1476)
Supportive Living Facility (SLF)	6.2% (103)
Community Living Facility	2.2% (37)
Child Group Home	1.7% (28)
Comprehensive Care in Residential Settings	0.2% (4)
Supported Residential	0.2% (4)
Site-based Permanent Supported/Supportive Housing	0.1% (1)
Other	0.3% (8)

When asked to describe this setting as located in a rural area (located outside of a metropolitan area), located in a suburban area, or located in an urban area, half of respondents described their setting as being located in a suburban area (50.6%). Thirty-one percent reported that their setting was located in a rural area (31.0%) and 18.4 percent reported that their setting was located in an urban area.

When asked to describe the setting, slightly more than half of the settings are single housing units or apartments (50.7%) followed by group housing units (33.5%). Table 2 provides the complete list.

**Table 2. Physical description of settings**

	Percent ( <i>n</i> )
A single housing unit or apartment	54.5% (907)
A group housing unit	36.0% (597)
An apartment building	8.0% (132)
Multiple settings co-located	1.1% (19)
A residential school	0.1% (1)
A gated/secured community	0.1% (1)

### *Controlling Entity*

In addition, when asked what entity or entities control(s) the policies or procedures for the setting, 88.2 percent report that it is the parent agency or organization. Thirty-six report that the landlord controls the policies or procedures (2.2%), followed by private citizen or family (1.9%), the individual setting (1.6%) or a subsidiary or foundation (0.4%).

Finally, settings were told to identify all of the state agencies from which they receive funding for their services. As seen in the table below, the Illinois Department of Human Services is the largest funder for services.

### **State Agency Funding Services**

	Number of settings
Illinois Department of Human Services	1505
Illinois Department of Healthcare and Family Services	349
Illinois Department on Aging	31

The final two results sections discuss the results of the setting-specific survey. The setting-specific survey deals with all aspects of the residential settings. In order to reduce the complexity of this instrument, we have categorized these into two factors: Individual's Access to the Community in Residential Settings and Individuals' Personal Autonomy and Choice in Care Options in Residential Settings. Each of these sections has the following subsections.

#### Individuals' Access to the Community in Residential Settings

- Community Engagement
- Transportation Opportunities

#### Individuals' Personal Choice in Care Options in Residential Settings

- Individual Care Plans
- Dining/Food Accommodations
- Setting Accommodations

Each of settings receives two scores within each of the five subsections: a “Level of Autonomy Score” and a “Frequency of Independent Behaviors Score.” These scores measure related but unique concepts. The “Level of Autonomy Score” measures what level of autonomy or personal freedom individuals experience based on the policies of each residential setting. The “Frequency of Independent Behaviors Score” measures how often individuals engage in these autonomous behaviors. These scores are calculated similarly among all of the five subsections.

“Level of Autonomy Score”- This score is calculated using items on a five-point Likert scale ranging from “Strongly Agree (5), Somewhat Agree (4), Neither Agree nor Disagree (3), Somewhat Disagree (2), Strongly Agree (1).” Settings were asked to report their level of agreement on a variety of different items measuring each of the five subsections. For example, one of the items measuring community engagement using the Likert scale asked respondents their level of agreement with the following statement: *Individuals are given easy access to the community outside of the setting.* While each of the subsections may have a different number of items measuring the concept, the “Level of Autonomy Scores” are standardized.

The scores for each of the subsections range from 1 to 5, where 1 indicates the lowest level of autonomy and 5 indicates the highest level of autonomy. The table below provides the mean “Level of Autonomy Score” for each of the subsections with the standard deviations in parentheses.

**Table 3. Level of Autonomy Scores**

	<b>Level of Autonomy Score</b>
Community Engagement	4.45 (.60)
Transportation Opportunities	3.77 (.50)
Individual Care Plans	3.84 (.53)
Dining/Food Accommodations	3.46 (.72)
Setting Accommodations	4.77 (.28)

As seen in the table above, all of the “Level of Autonomy Scores” range between the neutral category (3: Neither Agree nor Disagree”) and the strong agreement category (5: “Strongly Agree”). Overall, this indicates a high level of autonomy in each of the five subsections. Setting Accommodations has the highest “Level of Autonomy Score” while Dining/Food Accommodations has the lowest “Level of Autonomy Score.” To find a detailed discussion of the items that constructed each of these scores, please see the corresponding section in the following pages.

“Frequency of Independent Behaviors Score”- This score is calculated using a four-point frequency measure ranging from “All of the time” (4), “Most of the time” (3), “Some of the time” (2), “Never” (1). Settings were asked to report how often a variety of different behaviors occurs for each of the five subsections. For example, one of the items measuring individual care plans using the frequency scale asks respondents to report the frequency of the following item: *Individuals complaints are addressed in a timely manner.*

The scores for each of the subsections range from 1 to 4, where 1 indicates the lowest frequency amount and 4 indicates the highest frequency amount. The table below provides the mean “Frequency of Independent Behaviors Score” for each of the subsections with the standard deviations in parentheses.

**Table 4. Frequency of Independent Behaviors Score**

	<b>Frequency of Independent Behaviors Score</b>
Community Engagement	2.95 (.58)
Transportation Opportunities	3.25 (.56)
Individual Care Plans	3.35 (.33)
Dining/Food Accommodations	3.12 (.43)
Setting Accommodations	3.19 (.40)

As seen in the table above, all of the “Frequency of Independent Behaviors Scores” range between “Some of the Time” (2) and “All of the Time” (4). Individual Care Plans has the highest “Frequency of Independent Behaviors Score” at 3.35. This indicates that when it comes to individuals’ care plans, the majority of individuals are able to assert a high level of independent behavior. The lowest “Frequency of Independent Behaviors Score” is Community Engagement. To find a detailed discussion of the items that constructed each of these scores, please see the corresponding section in the following pages.

The following pages discuss the five subsections of the results section. Each of the sections provides an overview of the findings (bullet points), and detailed descriptions of both the “Level of Autonomy Score” and the “Frequency of Independent Behaviors Score.”

#### *Individuals’ Access to the Community in Residential Settings*

This results section is concerned with the policies and procedures in place that allow individual residents to be able to access the external community, outside of the residential setting. This section contains two subsections: Community Engagement and Transportation Opportunities.

#### Community Engagement

- Overall, the results on the level of community engagement within the residential settings are mixed. While settings report the second highest autonomy score on community engagement (4.45), they also report the lowest frequency of behaviors score. The latter may be due to the how often individuals within the setting pursue both competitive employment opportunities and noncompetitive employment opportunities.
- When respondents were asked “How often, if at all, do individuals participate in community activities while residing at the setting,” the majority of respondents report that individuals participate in these activities regularly with 87.7 percent of settings reporting this. Twelve percent of respondents report that the individuals participate occasionally and less than one percent (0.4%) report that individuals participate in community activities not often at all.
- The overall “Level of Autonomy Score” for community engagement is 4.45 (out of 5); The “Frequency of Independent Behaviors Score” for community engagement is 2.95 (out of 4).

The overall “Level of Autonomy Score” for community engagement is 4.45, which indicates a high level of autonomy for residents in terms of their engagement in the community. When we examine the six items that constructed this score, we find slight differences among the different measures. The table below presents the percent of respondents who self-reported a “1” on this item (which indicates a low level of autonomy). The item that had the highest percent of respondents reporting that a low autonomy score is “Individuals are able to come and go as they please.”

**Table 5. Items of “Level of Autonomy Score”**

	<b>Percent reporting lowest rating of autonomy</b>
Individuals are able to come and go as they please.	14.2%
Interested individuals are given the resources on how to obtain employment.	6.2%
Individuals know where to find information on community activities.	4.0%
Individuals receive personal services (e.g., haircuts) in the community outside of the setting.	1.5%
Individuals are given easy access to the community outside of the setting.	0.8%
Individuals receive professional services (e.g., dental care) in the community outside of the setting.	0.6%

The “Frequency of Independent Behaviors Score” was constructed using five items listed in the table below. The overall score for community engagement is 2.95, which indicates the lowest level of the frequency of independent behaviors. The table below presents the percent of respondents who self-reported a “1” on this item (which indicates the survey response of “never,” the lowest frequency score). As you can see in the table, the item that had the highest percent of respondents reporting a low frequency score is “individuals pursue competitive employment opportunities” with more than one-fourth of settings report that this never occurs. In addition, 15.1 percent of settings report that individuals never pursue other employment opportunities (both paid and volunteer).

**Table 6. Items of “Frequency of Independent Behaviors Score”**

	<b>Percent reporting lowest level of frequency</b>
Individuals pursue competitive employment opportunities.	27.3%
Individuals pursue other employment opportunities (both paid and volunteer).	15.1%
Individuals talk about activities occurring outside of the setting.	2.6%
There is a record of the individual residents who attend each community activity event.	1.2%
Individuals participate in personal, social, and family events.	0.1%

### Transportation Opportunities

- Overall, while settings report that the individuals engage in independent behaviors with regards to transportation opportunities quite often, it also appears that the level of autonomy associated with transportation is at a moderate level (ranging between neutral and somewhat agree).
- While 97.9 percent of the settings report that their setting is near other private residences and 76.6 percent report that their setting is near retail businesses, providing opportunities for transportation is still an important service provided by these settings. Therefore, 99.3 percent of settings report that they offer transportation opportunities. Twelve settings report that they do not offer any transportation opportunities.
- The overall “Level of Autonomy Score” for transportation opportunities is 3.77; the “Frequency of Independent Behaviors Score” for transportation opportunities is 3.25.

The overall “Level of Autonomy Score” for transportation opportunities is 3.77, which indicates a moderate level of autonomy for residents in terms of their transportation opportunities. When we examine the seven items that constructed this score, we find slight differences among the items. The table below presents the percent of respondents who self-reported a “1” on this item (which indicates a low level of autonomy). As you see in the table, the item that had the highest percent of respondents reporting a low autonomy score is “a transportation schedule is posted in a common area.”

**Table 7. Items of “Level of Autonomy Score”**

	<b>Percent reporting lowest rating of autonomy</b>
A transportation schedule is posted in a common area.	59.9%
Individuals cannot only enter/exit the setting from designated entrances/exits.	36.3%
Individuals do not have to follow curfews or other requirements for a scheduled return to the setting.	14.6%
There are public transportation opportunities available to individuals in the setting.	11.0%
Transportation opportunities are not limited for individuals.	4.3%
The setting provides transportation opportunities to individuals outside of regularly scheduled options.	1.1%
The setting provides regularly scheduled transportation opportunities to individuals.	0.4%
Individuals feel confident using the transportation opportunities provided by the setting.	0.3%

The “Frequency of Independent Behaviors Score” was constructed using three items listed in the table below. The overall score for transportation opportunities is 3.25, which indicates a high level of the frequency of independent behaviors in terms of transportation opportunities. The table below presents the percent of respondents who self-reported a “1” on this item (which indicates the survey response of “never,” the lowest frequency score). As seen in the table, the item that had the highest percent of respondents reporting a low frequency score is “individuals are informed/educated on how to use public transportation.”

**Table 8. Items of “Frequency of Independent Behaviors Score”**

	<b>Percent reporting lowest level of frequency</b>
Individuals are informed/educated on how to use public transportation.	14.1%
Individuals use the transportation opportunities provided by the setting.	0.8%
Individuals know how to contact a staff member about transportation opportunities.	3.3%

### *Individuals' Personal Choice in Care Options in Residential Settings*

This results section is concerned about the level of personal choice individual residents have while residing at the settings. This includes their individual care plans, their living arrangements, their sense of individuality, their dining arrangements, and their interactions with visitors and staff members. This section contains three subsections: Individual Care Plans, Dining/Food Accommodations, and Setting Accommodations

#### Individual Care Plans

- A vital component of the new federal regulations is that individuals at residential settings have flexibility and freedom in developing their individual care plans. The results of this survey indicate that the frequency of independent behaviors associated with individual care plans is at a high level.
- The majority of the residential settings that responded to this survey report that while individuals have a lot of choice in the type of care or assistance they receive or from whom, they are not in complete control. Eighty-eight percent of residential settings report this to be the case while 8.6 percent report that individuals have complete control and 3.8 percent report that individuals have little choice or control.
- Almost all of the settings (98%) report that the average individual at their setting has been asked about their goals and aspirations in the past 12 months and 79.5 percent report that individuals make changes to their plan of care “as needed or as requested.”
- The overall “Level of Autonomy Score” for individual care plans is 3.84, the “Frequency of Independent Behaviors Score” for individual care plans is 3.35.

The overall “Level of Autonomy Score” for individual care plans is 3.84, which indicates a moderate level of autonomy for residents in terms of their individual care plans. When we examine the six items that constructed this score, we find slight differences among the measures. The table below presents the percent of respondents who self-reported a “1” on this item (which indicates the lowest level of autonomy). The item that had the highest percent of respondents reporting the lowest autonomy score is “individual requests regarding their care are forward to an independent/non-setting based case manager.”

**Table 9. Items of “Level of Autonomy Score”**

	<b>Percent reporting lowest rating of autonomy</b>
Individual requests regarding their care are forwarded to an independent/non-setting based case manager.	16.8%
Information on how to file a complaint is easily accessible to individuals.	4.1%
Individuals have a choice of which provider staff delivers care/support.	2.6%
Individual schedules for PT, OT, medication, diet, or other care options are NOT posted in common areas (i.e., hallways).	2.4%
Individuals know how make changes to their plans of care.	1.6%
Individuals feel comfortable expressing concerns regarding their care.	0.6%

The “Frequency of Independent Behaviors Score” was constructed using eight items listed in the table below. The overall score for individual care plan is 3.35, which indicates the highest level of the frequency of independent behaviors in terms of individual care planning. The table below presents the percent of respondents who self-

reported a “1” on this item (which indicates the survey response of “never,” the lowest frequency score). The item that had the highest percent of respondents reporting a low frequency score is “Staff members do not discuss individuals with other staff members in public space.” 7 percent of settings report that this never happens.

**Table 10. Items of “Frequency of Independent Behaviors Score”**

	<b>Percent reporting lowest level of frequency</b>
Staff members do not discuss individuals with other staff members in public spaces.	7.0%
Individuals make changes to their plan of care as needed.	2.0%
When needed, individuals know how to request a new/additional service.	2.0%
Individuals with concerns, discuss the concerns with the setting staff.	0.9%
Individuals provide input into their daily schedules.	0.5%
Individual complaints are addressed in a timely manner.	0.1%
When an individual files a complaint, it is considered confidential.	0.1%
Individuals have the opportunity to express their level of satisfaction with the services they are receiving.	0.0%

#### Dining/Food Accommodations

- One way that individuals are able to express their own personal choice is in their dining and meal decisions. According to the survey results, current setting accommodations do not allow a lot of freedom and flexibility in regards to dining and food accommodations. One of the major restrictions is where individuals are allowed to eat with a significant number of settings reporting that individuals are not allowed to eat in their units nor eat outside of common dining areas.
- Slightly more than half of the settings (52.3%) report that individuals have a lot of choice when it comes to their dining and meal decisions. Forty-seven percent of settings report that individuals have some choice when it comes to these decisions and less than one percent (0.2%) report that individuals have no choice at all.
- The overall “Level of Autonomy Score” for dining/food accommodations is 3.46; the “Frequency of Independent Behaviors Score” for dining and food accommodations is 3.12.

The overall “Level of Autonomy Score” for dining/food accommodations is 3.46, which is the lowest score among all of the subsections. When we examine the five items that constructed this score, we find differences among the items. The table below presents the percent of respondents who self-reported a “1” on this item (which indicates a low level of autonomy). The item that had the highest percent of respondents reporting a low autonomy score is “individuals are able to eat in their units.”

**Table 11. Items of “Level of Autonomy Score”**

	<b>Percent reporting lowest rating of autonomy</b>
Individuals are able to eat in their units.	18.2%
Individuals are able to set their own dining/meal-time schedule.	5.5%
Individuals are able to eat in places other than the common dining areas.	5.4%
Individuals do not have assigned seating during meal-times.	1.5%
Individuals are able to eat at non-designated meal-times.	0.9%

The “Frequency of Independent Behaviors Score” was constructed using four items listed in the table below. The overall score for dining and food accommodations is 3.12, which indicates a lower level of the frequency of independent behaviors in terms of dining and food accommodations. The table below presents the percent of respondents who self-reported a “1” on this item (which indicates the survey response of “never,” the lowest frequency score). The item that had the highest percent of respondents reporting a low frequency score is “individuals eat in places other than common dining areas.”

**Table 12. Items of “Frequency of Independent Behaviors Score”**

	<b>Percent reporting lowest level of frequency</b>
Individuals eat in places other than common dining areas.	16.0%
There is more than one meal option during meal-times.	1.4%
Between designated meal-times, the setting provides other food or refreshments.	1.2%
Individuals engage with others during meal-times.	0.9%

### Setting Accommodations

- According to the survey results, individuals have a lot of autonomy when it comes to their setting accommodations as well as demonstrate frequently independent behaviors.
- More than half of the settings report that individuals have a lot of freedom to move inside/outside of the setting (57.3%), while 42.24 percent report that they have some freedom and less than one percent reporting that they have no freedom at all. In addition, 65 percent of the settings report that individual residents have a lot of privacy while at the setting.
- The overall “Level of Autonomy Score” for setting accommodations is 4.77; the “Frequency of Independent Behaviors Score” is 3.19.

The overall “Level of Autonomy Score” for setting accommodations is 4.77. This score is the highest of all of the subsections indicating a very high level of autonomy for individuals in terms of their setting accommodations. When we examine the twelve items that constructed this score, we find slight differences among the items. The table below presents the percent of respondents who self-reported a “1” on this item (which indicates the lowest level of autonomy). The item that had the highest percent of respondents reporting the lowest autonomy score is “individuals are able to lock the door to their units.”

**Table 13. Items of “Level of Autonomy Score”**

	<b>Percent</b>
Individuals are able to lock the door to their units.	46.6%
Individuals are allowed to have their own checking and/or savings account.	5.8%
Individuals are able to furnish and decorate their units to their own preferences.	3.5%
Individuals have access to cell phones, computers, and other mobile technological devices in common areas.	3.0%
Visitors are allowed to visit individuals in the setting outside of regularly scheduled visiting hours.	1.6%
Individuals are allowed to own cell phones, computers, and other mobile technological devices.	1.4%
Individuals have access to do their own laundry.	1.2%
Visitors are free to move about public areas within the setting.	0.7%
Individuals have access to a kitchen setting.	0.6%
Individuals have access to a television in common areas.	0.5%
Individuals are allowed to receive visitors at this setting.	0.2%
Individuals are able to have their own sense of style.	0.0%

The “Frequency of Independent Behaviors Score” was constructed using twelve items listed in the table below. The overall score is 3.19, which indicates a moderate level of the frequency of independent behaviors in terms for setting accommodations. The table below presents the percent of respondents who self-reported a “1” on this item (which indicates the survey response of “never,” the lowest frequency score). The item that had the highest percent of respondents reporting a low frequency score is “married couples have the option to share a unit.”

**Table 14. Items of “Frequency of Independent Behaviors Score”**

	<b>Percent reporting lowest level of frequency</b>
Married couples have the option to share a unit.	25.3%
Individuals and their visitors do not have to follow the visiting hour schedules	25.1%
Individuals have the option to live in private units.	14.9%
If sharing a room, individuals get to choose a roommate.	13.2%
Setting providers do not maintain control over the individual’s finances.	12.6%
Individuals with roommates discuss their living situation with staff or counselors.	7.8%
Individuals are not assigned a roommate by staff.	1.7%
Staff members assist the individuals who need help getting dressed, at a time designated by the individual.	1.5%
Staff members do not have difficulty getting along with individuals at the setting.	0.7%
Staff members knock before entering individuals units.	0.1%
Individuals choose their daily clothing.	0.1%
Individuals are clean and well-groomed.	0.1%

## Methodology

The HCBS residential survey is actually two surveys: an agency-specific survey and a setting-specific survey. Every agency was required to fill out both an agency-specific residential survey as well as a setting-specific residential survey for each of their residential settings. Settings were able to participate in the surveys via online, mail, and phone.

The Illinois Department of Healthcare and Family Services, along with the Department of Human Services and the Department on Aging provided a list of agencies which operate residential settings offered through HCBS waivers. A total of 256 agencies met these guidelines. Mailing addresses, contact information for the director of each agency, and email addresses were provided by each of the corresponding state agencies. All agencies were contacted at least five times by researchers at the Survey Research Office (SRO).

The first contact to the agencies was through emails from their corresponding state agencies: Illinois Departments of Healthcare and Family Services, Human Services, or Aging. After the email distribution, the same information was sent from the SRO in an introductory letter via U.S. Postal Service on September 26<sup>th</sup>, 2014. This correspondence discussed the need for Illinois to take inventory of all supportive congregate and/or group residential settings that are not hospitals, nursing homes, IMDs or ICF-DDs and where the HCBS participant and the State, at this time, considers this setting as his/her residence. This letter also informed the agency that they will be receiving information on how to complete a survey for their residential settings from the University of Illinois at Springfield (UIS). In addition, the recipients received specific language explaining that while there are no right or wrong answers to questions, their participation in the survey is mandatory.

The first round of survey instruments was sent to each of the 256 agencies via U.S. Postal Service on October 3<sup>rd</sup>, 2014. Included in the mailing was an introductory letter to the director of the agency, an agency-specific survey, ten copies of the setting-specific survey, and five business reply envelopes. The agency-specific survey contained an identifying tracking number in order for SRO researchers to keep track of the agencies who had completed the surveys. Individuals were instructed that they could complete the hard copies of the surveys included in the mailing packet or complete the surveys online through provided URLs. If agencies needed additional copies of the setting-specific survey, they were instructed to contact the SRO via email or telephone.

A reminder postcard was sent to all of the agencies on October 13, 2014. This postcard contained the project identification number for each of the agencies as well the URL to complete the surveys online. A second mailing occurred on October 17<sup>th</sup>, 2014. This mailing included the introductory letter, the agency-specific survey, and five copies of the setting-specific survey. Agencies that had not completed the surveys by November 4, 2014 received phone calls from trained SRO interviewers. These phone calls were placed at different dates and times of the work week in an effort to increase the number of responses. Phone interviews concluded on November 23, 2014. The survey closed on December 15, 2014.

Through these various methods, SRO was able to get information through the survey from 236 of the 252 agencies (95%) that operate residential settings in Illinois. In addition, these agencies are responsible for operating 1658 residential settings in Illinois.

Response bias may occur within surveys that rely on self-assessment, especially in situations in which funding may be in jeopardy. The following steps were taken to mitigate this bias:

1) The instructions attached to both surveys -- agency-specific and setting-specific -- emphasized that the data provided by both the agency and the setting are for informational purposes only and will not be used to assess the federal compliance of either the agency or the setting.

2) The following information was included on every page of the setting-specific survey:

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**REMINDER:** The input you provide will be used to inform the Transition Plan and will NOT be used to evaluate whether the setting is currently in compliance with the new federal requirements. For example, selecting “Never” or “Strongly Disagree” for one of the items does not indicate that you are not in compliance. *Please answer the questions based on what “typically occurs” in the setting.* The emphasis is on what are in the setting’s policies and procedures. It is recognized that individual’s plans of care may dictate certain restrictions that would be documented to cause harm or reflect one’s abilities.

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3) The majority of both surveys used Likert scales to effectively evaluate agencies and settings. The Likert technique is one of the most used and most validated survey designs. It involves asking a respondent to indicate how much he/she agrees or disagrees with each of a set of statements. The surveys used a five-point Likert response scale: strongly disagree, disagree, neutral, agree, or strongly agree.

4) Each survey included both positive statements (Individuals have access to a kitchen setting) and negative statements (Individuals do NOT have access to do their own laundry). When a survey or section of a survey contains only positive or only negative items, research shows that this can influence how people respond. A set of items worded only positively (with no negative items mixed in) can induce a positive bias from respondents. They respond by agreeing with those items more than they might if the set also included negatively word items. The same goes for only framing survey items negatively. Thus, to reduce this bias, the surveys always include a mix of positively and negatively worded items.

5) In addition to the Likert design, the survey included questions on the frequency of certain behaviors, rather than just asking whether the behavior occurs or not. The questions included asking respondents “how often” certain activities occur at the setting. The four-point response categories ranged from “all of the time,” “most of the time,” “some of the time,” and “never.” Including this scale allows individuals to provide more specific and useful information.

The following report is separated into four sections: Results from the Agency-specific Surveys, Demographics of the Residential Settings, and Individuals’ Access to the Community in Residential Settings, Individuals’ Personal Autonomy and Choice in Care Options in Residential Settings.

If you have any questions or comments about this report, please contact the Survey Research Office:

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## Topline Report

### *Agency-Specific Surveys*

How much, if at all, do you agree with the following statements about your agency? Do you strongly agree, somewhat agree, somewhat disagree, or strongly disagree? If you do not know the answer, please check “Don’t know.”

**There are agency-wide policies that apply to the setting(s) regarding visitation procedures.**

	Percent ( <i>n</i> )
Strongly agree	47.6% (108)
Somewhat agree	28.6% (65)
Somewhat disagree	6.2% (14)
Strongly disagree	14.1% (32)
Don’t know	3.5% (8)

**There are agency-wide policies that apply to the setting(s) regarding the living arrangements of the individuals residing at the setting(s).**

	Percent ( <i>n</i> )
Strongly agree	64.2% (145)
Somewhat agree	23.0% (52)
Somewhat disagree	3.5% (8)
Strongly disagree	5.8% (13)
Don’t know	3.5% (8)

**There are agency-wide policies and procedures that limit individuals’ access to food at its setting(s).**

	Percent ( <i>n</i> )
Strongly agree	3.9% (9)
Somewhat agree	8.7% (20)
Somewhat disagree	12.7% (29)
Strongly disagree	71.6% (164)
Don’t know	3.1% (7)

**There are agency-wide policies and procedures that limit visiting hours at its setting(s).**

	Percent ( <i>n</i> )
Strongly agree	6.6% (15)
Somewhat agree	14.5% (33)
Somewhat disagree	17.5% (40)
Strongly disagree	59.2% (135)
Don’t know	2.2% (5)

**There are agency-wide policies and procedures that disallow individuals from engaging in legal activities at its setting(s).**

	Percent ( <i>n</i> )
Strongly agree	4.4% (10)
Somewhat agree	5.3% (12)
Somewhat disagree	4.4% (10)
Strongly disagree	76.0% (171)
Don't know	9.8% (22)

**There are agency-wide policies and procedures that limit individual access to their personal funds/resources at its setting(s).**

	Percent ( <i>n</i> )
Strongly agree	6.2% (14)
Somewhat agree	13.2% (30)
Somewhat disagree	10.1% (23)
Strongly disagree	68.7% (156)
Don't know	1.8% (4)

**There are agency-wide policies and procedures that disallow individuals from engaging in community activities at its setting(s).**

	Percent ( <i>n</i> )
Strongly agree	0.4% (1)
Somewhat agree	1.3% (3)
Somewhat disagree	3.9% (9)
Strongly disagree	91.7% (21)
Don't know	2.6% (6)

**There are agency-wide policies and procedures that limit individual employment opportunities at its setting(s).**

	Percent ( <i>n</i> )
Strongly agree	2.2% (5)
Somewhat agree	3.9% (9)
Somewhat disagree	6.6% (15)
Strongly disagree	80.8% (185)
Don't know	6.6% (15)

Please answer whether the following apply to all of your settings, some of your settings, none of your settings. If you do not know the answer, please check "Don't know."

**State, county, or city landlord/tenant laws apply to your setting(s).**

	Percent ( <i>n</i> )
Applies to all of our settings	36.4% (82)
Applies to some of our settings	20.9% (47)
Applies to none of our settings	25.3% (57)
Don't know	17.3% (39)

**The agency has a blanket residential/service contract for all individuals residing at the setting(s).**

	Percent ( <i>n</i> )
Applies to all of our settings	42.9% (97)
Applies to some of our settings	7.5% (17)
Applies to none of our settings	41.2% (93)
Don't know	8.4% (19)

**The agency has individual residential/service contracts for all individuals residing at the setting(s).**

	Percent ( <i>n</i> )
Applies to all of our settings	51.3% (116)
Applies to some of our settings	7.1% (16)
Applies to none of our settings	35.8% (81)
Don't know	5.8% (13)

**The agency provides units or dwellings that can be owned, rented, or occupied under a legally enforceable agreement by the individual receiving services.**

	Percent ( <i>n</i> )
Applies to all of our settings	35.0% (79)
Applies to some of our settings	11.9% (27)
Applies to none of our settings	44.2% (100)
Don't know	8.8% (20)

*Setting-Specific Survey*

How many HCBS or other State-funded approved participants are supported at this location?

	Percent ( <i>n</i> )
Less than five	39.8% (662)
Five to 10 participants	51.6% (860)
11-20 participants	2.4% (39)
More than 20 participants	7.0% (103)

Which of the following best describes your setting?

	Percent ( <i>n</i> )
Physically connected to a hospital, nursing facility, institution for mental diseases, or an intermediate care facility for individuals with intellectual disabilities.	1.0% (16)
Not physically connected but on the grounds or adjacent to a hospital, nursing facility, institution for mental diseases, or an intermediate care facility for individuals with intellectual disabilities.	3.5% (58)
Not physically connected or adjacent hospital, nursing facility, institution for mental diseases, or an intermediate care facility for individuals with intellectual disabilities.	95.5% (1570)

Please identify all state agencies with whom you may receive funding to provide services for:

	Percent (n)
Illinois Department of Human Services	90.7% (1505)
Illinois Department of Healthcare and Family Services	21.0% (349)
Illinois Department on Aging	1.9% (31)

Which of the following best describes the setting?

	Percent (n)
Community Integrated Living Arrangement (CILA)	89% (1476)
Supportive Living Facility (SLF)	6.2% (103)
Community Living Facility	2.2% (37)
Child Group Home	1.7% (28)
Comprehensive Care in Residential Settings	0.2% (4)
Supported Residential	0.2% (4)
Site-based Permanent Supported/Supportive Housing	0.1% (1)
Other	0.3% (5)

Would you describe this setting as located in a rural area, located in a suburban area, or located in an urban area?

	Percent (n)
Located in a rural area (located outside of a metropolitan area)	31.0% (51)
Located in a suburban area	50.6% (826)
Located in an urban area	18.4% (300)

Please select all of the following that describe this setting:

	Percent (n)
A single housing unit or apartment	54.5% (904)
A group housing unit	36.0% (597)
An apartment building	8.0% (132)
Multiple settings co-located	1.1% (19)
A residential school	0.1% (1)
A gated/secured community	0.1% (1)

What entity/entities control(s) the policies or procedures for this setting?

	Percent (n)
The parent agency/organization	88.2% (1454)
The individual setting	1.6% (27)
A subsidiary or foundation	0.4% (6)
A landlord	2.2% (36)
A private citizen or family	1.9% (31)
Other, please specify:	5.8% (95)

*Others mentioned:* Agency board of directors, Private citizen, Not for profit, Housing authority.

### Community Activities

The first set of questions deal with access to community activities (events occurring external to your setting such as religious services, shopping, employment, or other social/personal/family events outside of the setting). We are interested in how individuals participate in unscheduled and scheduled community activities at your setting.

How often, if at all, do individuals participate in community activities while residing at the setting? Would you say that the majority of individuals participate in these activities regularly, occasionally, or not often at all?

	Percent ( <i>n</i> )
Regularly	87.7% (1439)
Occasionally	11.8% (194)
Not often at all	0.4% (7)

Please select whether the following occur all of the time, most of the time, some of the time, or never.

**For each community activity, there is a record of the individual residents who attended the event.**

	Percent ( <i>n</i> )
All of the time	44.7% (733)
Most of the time	40.8% (668)
Some of the time	13.3% (218)
Never	1.2% (20)

**Individuals participate in personal, social, and family events (i.e., attend religious services, eat with family).**

	Percent ( <i>n</i> )
All of the time	55.4% (913)
Most of the time	28.8% (474)
Some of the time	15.7% (259)
Never	0.1% (1)

**Individuals pursue competitive employment opportunities.**

	Percent ( <i>n</i> )
All of the time	13.6% (223)
Most of the time	9.4% (154)
Some of the time	49.8% (818)
Never	27.3% (448)

**Individuals pursue other employment opportunities (both paid and volunteer).**

	Percent ( <i>n</i> )
All of the time	26.8% (441)
Most of the time	22.2% (365)
Some of the time	35.8% (589)
Never	15.1% (248)

**Individuals talk about activities occurring outside of the setting.**

	Percent ( <i>n</i> )
All of the time	56.7% (933)
Most of the time	24.2% (397)
Some of the time	16.5% (272)
Never	2.6% (43)

How much, if at all, do you agree with the following statements about your setting? Do you strongly agree, somewhat agree, neither agree nor disagree, somewhat disagree, or strongly disagree?

**Individuals do NOT know where to find information on community activities.**

	Percent ( <i>n</i> )
Strongly agree	4.0% (65)
Somewhat agree	14.2% (232)
Neither agree nor disagree	12.3% (202)
Somewhat disagree	30.2% (494)
Strongly disagree	39.3% (644)

**Individuals are able to come and go as they please.**

	Percent ( <i>n</i> )
Strongly agree	22.5% (367)
Somewhat agree	32.5% (530)
Neither agree nor disagree	14.8% (242)
Somewhat disagree	14.6% (238)
Strongly disagree	15.5% (253)

**Interested individuals are given the resources on how to obtain employment.**

	Percent ( <i>n</i> )
Strongly agree	50.0% (818)
Somewhat agree	27.4% (448)
Neither agree nor disagree	11.1% (181)
Somewhat disagree	5.4% (89)
Strongly disagree	6.2% (101)

**Individuals are given easy access to the community outside of the setting.**

	Percent ( <i>n</i> )
Strongly agree	58.2% (954)
Somewhat agree	31.3% (514)
Neither agree nor disagree	6.5% (106)
Somewhat disagree	3.2% (53)
Strongly disagree	0.8% (13)

**Individuals do NOT receive any personal services (e.g., haircuts) in the community outside of the setting.**

	Percent ( <i>n</i> )
Strongly agree	1.5% (25)
Somewhat agree	2.0% (33)
Neither agree nor disagree	0.4% (6)
Somewhat disagree	5.6% (92)
Strongly disagree	90.% (1485)

**Individuals do NOT receive any professional services (e.g., dental care) in the community outside of the setting.**

	Percent ( <i>n</i> )
Strongly agree	0.6% (10)
Somewhat agree	1.6% (26)
Neither agree nor disagree	0.1% (2)
Somewhat disagree	3.4% (56)
Strongly disagree	94.3% (1542)

*Setting Accommodations*

The next set of questions deal with the accommodations provided by your setting for individuals.

Do individuals at your setting have a lot of choice, some choice, or no choice at all in the initial decision to live at your setting?

	Percent ( <i>n</i> )
A lot of choice	65.0% (1058)
Some choice	33.2% (54)
No choice at all	1.8% (29)

When it comes to residential options for an individual living at the setting, would you say that a typical individual has a lot of choice, some choice, or no choice at all?

	Percent ( <i>n</i> )
A lot of choice	46.9% (765)
Some choice	52.0% (848)
No choice at all	1.2% (19)

In general, would you say that individual residents have a lot of privacy, some privacy, or no privacy at the setting?

	Percent ( <i>n</i> )
A lot of privacy	65.0% (1059)
Some privacy	35.0% (570)
No privacy at all	0.1% (1)

How much, if at all, do you agree with the following statements about your setting? Do you strongly agree, somewhat agree, neither agree nor disagree, somewhat disagree, or strongly disagree?

**Individuals are NOT allowed to receive visitors at this setting.**

	Percent ( <i>n</i> )
Strongly agree	0.2% (3)
Somewhat agree	0.0% (0)
Neither agree nor disagree	0.2% (4)
Somewhat disagree	1.3% (21)
Strongly disagree	98.3% (1607)

**Individuals are able to furnish and decorate their units to their own preferences.**

	Percent ( <i>n</i> )
Strongly agree	84.9% (1388)
Somewhat agree	10.6% (174)
Neither agree nor disagree	0.4% (6)
Somewhat disagree	0.5% (8)
Strongly disagree	3.5% (58)

**Individuals are NOT able to lock the door to their units.**

	Percent ( <i>n</i> )
Strongly agree	17.1% (279)
Somewhat agree	7.6% (124)
Neither agree nor disagree	8.3% (135)
Somewhat disagree	20.5% (334)
Strongly disagree	46.6% (761)

**Visitors are free to move about public areas within the setting (common areas, dining rooms).**

	Percent ( <i>n</i> )
Strongly agree	84.4% (1380)
Somewhat agree	11.9% (195)
Neither agree nor disagree	2.9% (47)
Somewhat disagree	0.2% (3)
Strongly disagree	0.7% (11)

**Visitors are allowed to visit individuals in the setting outside of regularly scheduled visiting hours.**

	Percent ( <i>n</i> )
Strongly agree	53.8% (874)
Somewhat agree	28.2% (459)
Neither agree nor disagree	12.9% (209)
Somewhat disagree	3.5% (57)
Strongly disagree	1.6% (26)

Please select whether the following occur all of the time, most of the time, some of the time, or never.

**Individuals have the option to live in private units.**

	Percent ( <i>n</i> )
All of the time	47.4% (771)
Most of the time	15.1% (246)
Some of the time	22.5% (366)
Never	14.9% (242)

**If sharing a room, individuals get to choose a roommate.**

	Percent ( <i>n</i> )
All of the time	26.4% (395)
Most of the time	27.6% (412)
Some of the time	32.8% (490)
Never	13.2% (197)

**Married couples have the option to share a unit.**

	Percent ( <i>n</i> )
All of the time	65.7% (1020)
Most of the time	5.2% (80)
Some of the time	3.9% (60)
Never	25.3% (393)

**Staff members knock before entering individual units.**

	Percent ( <i>n</i> )
All of the time	76.3% (1241)
Most of the time	20.5% (333)
Some of the time	3.2% (52)
Never	0.1% (1)

**Individuals with roommates discuss their living situation with staff or counselors.**

	Percent ( <i>n</i> )
All of the time	51.2% (766)
Most of the time	25.4% (380)
Some of the time	15.6% (233)
Never	7.8% (117)

**Individuals are assigned a roommate by staff.**

	Percent ( <i>n</i> )
All of the time	1.7% (26)
Most of the time	9.8% (148)
Some of the time	46.4% (698)
Never	42.0% (631)

**Individuals and their visitors follow the visiting hour schedules.**

	Percent ( <i>n</i> )
All of the time	25.1% (376)
Most of the time	47.9% (718)
Some of the time	5.4% (81)
Never	21.6% (323)

In general, would you say that individuals have a lot of freedom to move inside/outside of the setting, some freedom to move inside/outside of the setting, or no freedom to move inside/outside of the setting?

	Percent ( <i>n</i> )
A lot of freedom	57.3% (934)
Some freedom	42.4% (691)
No freedom	0.4% (6)

Next, we are interested in the dining/food accommodations at your setting. When it comes to dining/food options, would you say that a typical individual has a lot of choice, some choice, or no choice at all?

	Percent ( <i>n</i> )
A lot of choice	52.3% (850)
Some choice	47.4% (770)
No choice at all	0.2% (4)

Please select whether the following occur all of the time, most of the time, some of the time, or never.

**Individuals do NOT engage with others during meal-times.**

	Percent ( <i>n</i> )
All of the time	0.9% (14)
Most of the time	1.7% (27)
Some of the time	23.9% (387)
Never	73.6% (1192)

**There is more than one meal option during meal-times.**

	Percent ( <i>n</i> )
All of the time	41.3% (671)
Most of the time	19.8% (322)
Some of the time	37.5% (609)
Never	1.4% (23)

**Individuals eat in places other than common dining areas.**

	Percent ( <i>n</i> )
All of the time	8.9% (145)
Most of the time	2.3% (37)
Some of the time	72.8% (1183)
Never	16.0% (260)

**Between designated meal-times, the setting provides other food or refreshments.**

	Percent ( <i>n</i> )
All of the time	79.1% (1288)
Most of the time	17.5% (285)
Some of the time	2.2% (36)
Never	1.2% (19)

How much, if at all, do you agree with the following statements about your setting? Do you strongly agree, somewhat agree, neither agree nor disagree, somewhat disagree, or strongly disagree?

**Individuals are assigned seating during meal-times.**

	Percent ( <i>n</i> )
Strongly agree	1.5% (25)
Somewhat agree	4.9% (80)
Neither agree nor disagree	9.2% (150)
Somewhat disagree	9.7% (158)
Strongly disagree	74.6% (1215)

**Individuals are NOT able to eat at non-designated meal-times.**

	Percent ( <i>n</i> )
Strongly agree	0.9% (15)
Somewhat agree	3.9% (63)
Neither agree nor disagree	3.2% (52)
Somewhat disagree	23.8% (387)
Strongly disagree	68.2% (1110)

**Individuals are able to eat in places other than common dining areas.**

	Percent ( <i>n</i> )
Strongly agree	28.3% (460)
Somewhat agree	45.4% (739)
Neither agree nor disagree	5.4% (88)
Somewhat disagree	15.5% (253)
Strongly disagree	5.4% (88)

**Individuals are NOT allowed to eat in their units.**

	Percent ( <i>n</i> )
Strongly agree	18.2% (296)
Somewhat agree	26.7% (433)
Neither agree nor disagree	9.5% (154)
Somewhat disagree	18.4% (299)
Strongly disagree	27.1% (440)

**Individuals are able to set their own dining/meal-time schedule.**

	Percent ( <i>n</i> )
Strongly agree	14.6% (238)
Somewhat agree	42.9% (699)
Neither agree nor disagree	16.8% (274)
Somewhat disagree	20.1% (327)
Strongly disagree	5.5% (90)

We are also interested in the transportation opportunities and access at your setting. How much, if at all, do you agree with the following statements about your setting? Do you strongly agree, somewhat agree, neither agree nor disagree, somewhat disagree, or strongly disagree?

**Individuals can only enter/exit the setting from designated entrances/exits.**

	Percent ( <i>n</i> )
Strongly agree	36.3% (589)
Somewhat agree	11.0% (179)
Neither agree nor disagree	10.1% (164)
Somewhat disagree	5.4% (87)
Strongly disagree	37.1% (602)

**There are NO public transportation opportunities available to individuals in the setting.**

	Percent ( <i>n</i> )
Strongly agree	11.0% (179)
Somewhat agree	15.1% (246)
Neither agree nor disagree	3.3% (54)
Somewhat disagree	28.7% (467)
Strongly disagree	41.9% (681)

**The setting provides regularly scheduled transportation opportunities to individuals.**

	Percent ( <i>n</i> )
Strongly agree	79.6% (1258)
Somewhat agree	16.7% (264)
Neither agree nor disagree	2.3% (37)
Somewhat disagree	0.9% (14)
Strongly disagree	0.4% (7)

**The setting provides transportation opportunities to individuals outside of regularly scheduled options.**

	Percent ( <i>n</i> )
Strongly agree	65.8% (1075)
Somewhat agree	27.4% (447)
Neither agree nor disagree	2.0% (32)
Somewhat disagree	3.7% (61)
Strongly disagree	1.1% (18)

**Individuals have to follow curfews or other requirements for a scheduled return to the setting.**

	Percent (n)
Strongly agree	14.6% (237)
Somewhat agree	37.4% (608)
Neither agree nor disagree	10.5% (171)
Somewhat disagree	16.2% (263)
Strongly disagree	21.4% (348)

Is your setting near other private residences?

	Percent (n)
Yes	97.9% (1593)
No	2.1% (35)

Are retail businesses near your setting?

	Percent (n)
Yes	76.6% (1246)
No	23.4% (381)

*Only answer these questions if your setting provides transportation opportunities to individuals. If your setting does not provide transportation opportunities, please continue to the next page.*

Please select whether the following occur all of the time, most of the time, some of the time, or never.

**Individuals are informed/educated on how to use public transportation.**

	Percent (n)
All of the time	26.7% (428)
Most of the time	29.9% (478)
Some of the time	29.4% (470)
Never	14.1% (225)

**Individuals use the transportation opportunities provided by the setting.**

	Percent (n)
All of the time	70.7% (1140)
Most of the time	23.7% (382)
Some of the time	4.8% (78)
Never	0.8% (13)

**Individuals know how to contact a staff member about transportation opportunities.**

	Percent (n)
All of the time	60.8% (978)
Most of the time	26.4% (424)
Some of the time	9.6% (154)
Never	3.3% (53)

How much, if at all, do you agree with the following statements about your setting? Do you strongly agree, somewhat agree, neither agree nor disagree, somewhat disagree, or strongly disagree?

**Transportation opportunities are limited for individuals.**

	Percent ( <i>n</i> )
Strongly agree	4.3% (70)
Somewhat agree	20.5% (331)
Neither agree nor disagree	7.6% (123)
Somewhat disagree	27.5% (443)
Strongly disagree	40.0% (644)

**Individuals feel confident using the transportation opportunities provided by the setting.**

	Percent ( <i>n</i> )
Strongly agree	81.9% (1320)
Somewhat agree	11.2% (181)
Neither agree nor disagree	6.0% (96)
Somewhat disagree	0.6% (10)
Strongly disagree	0.3% (5)

**A transportation schedule is posted in a common area at the setting.**

	Percent ( <i>n</i> )
Strongly agree	6.5% (104)
Somewhat agree	5.5% (88)
Neither agree nor disagree	22.2% (355)
Somewhat disagree	5.9% (94)
Strongly disagree	59.9% (956)

The next set of questions deals with individual choice when it comes to their care and services provided. First, we are interested in how often individuals are asked about their needs and preferences.

Thinking about the average individual at your setting, were they asked about their goals and aspirations in the past 12 months?

	Percent ( <i>n</i> )
Yes	98.0% (1580)
No	0.6% (10)
Don't know	1.4% (22)

How often, if at all, do individuals make changes to their plan of care?

	Percent ( <i>n</i> )
Never	1.1% (17)
Annually	7.5% (118)
Semi-annually	10.9% (171)
Monthly	1.0% (15)
As needed/ requested	79.5% (1244)

Please select whether the following occur all of the time, most of the time, some of the time, or never.

**Individual complaints are addressed in a timely manner.**

	Percent ( <i>n</i> )
All of the time	62.7% (1021)
Most of the time	37.1% (604)
Some of the time	0.1% (1)
Never	0.1% (2)

**Individuals make changes to their plan of care as needed.**

	Percent ( <i>n</i> )
All of the time	55.5% (900)
Most of the time	33.5% (543)
Some of the time	9.1% (147)
Never	2.0% (33)

**Individuals with concerns, discuss the concerns with the setting staff.**

	Percent ( <i>n</i> )
All of the time	70.0% (1141)
Most of the time	27.0% (440)
Some of the time	2.0% (33)
Never	0.9% (15)

**Individuals provide input into their daily schedules.**

	Percent ( <i>n</i> )
All of the time	55.7% (904)
Most of the time	36.6% (593)
Some of the time	7.2% (117)
Never	0.5% (8)

**Staff members do NOT discuss individuals with other staff members in public spaces.**

	Percent ( <i>n</i> )
All of the time	58.0% (942)
Most of the time	31.2% (507)
Some of the time	3.8% (62)
Never	7.0% (114)

**When an individual files a complaint, it is considered confidential.**

	Percent ( <i>n</i> )
All of the time	92.4% (1505)
Most of the time	6.9% (113)
Some of the time	0.6% (9)
Never	0.1% (1)

**When needed, individuals know how to request a new/additional service.**

	Percent ( <i>n</i> )
All of the time	45.9% (746)
Most of the time	40.5% (659)
Some of the time	11.6% (188)
Never	2.0% (33)

**Individuals have the opportunity to express their level of satisfaction with the services they are receiving.**

	Percent ( <i>n</i> )
All of the time	85.0% (1379)
Most of the time	13.6% (221)
Some of the time	1.4% (22)
Never	0.0% (0)

How much, if at all, do you agree with the following statements about your setting? Do you strongly agree, somewhat agree, neither agree nor disagree, somewhat disagree, or strongly disagree?

**Individuals do NOT feel comfortable expressing concerns regarding their care.**

	Percent ( <i>n</i> )
Strongly agree	0.6% (10)
Somewhat agree	1.6% (26)
Neither agree nor disagree	2.7% (44)
Somewhat disagree	15.8% (255)
Strongly disagree	79.3% (1282)

**Individuals do NOT know how make changes to their plans of care.**

	Percent ( <i>n</i> )
Strongly agree	1.6% (26)
Somewhat agree	6.4% (103)
Neither agree nor disagree	8.1% (131)
Somewhat disagree	39.0% (629)
Strongly disagree	44.9% (724)

**Information on how to file a complaint is easily accessible to individuals.**

	Percent ( <i>n</i> )
Strongly agree	62.6% (1013)
Somewhat agree	25.3% (409)
Neither agree nor disagree	6.1% (99)
Somewhat disagree	1.9% (31)
Strongly disagree	4.1% (67)

**Individuals do NOT have a choice of which provider staff delivers care/support.**

	Percent ( <i>n</i> )
Strongly agree	2.6% (42)
Somewhat agree	25.7% (414)
Neither agree nor disagree	10.7% (173)
Somewhat disagree	34.1% (550)
Strongly disagree	27.0% (435)

**Individual requests regarding their care are forwarded to independent/non-setting based case manager.**

	Percent ( <i>n</i> )
Strongly agree	36.5% (592)
Somewhat agree	31.9% (517)
Neither agree nor disagree	12.4% (201)
Somewhat disagree	2.3% (38)
Strongly disagree	16.8% (273)

**Individual schedules for PT, OT, medication, diet, or other care options are posted in common areas (i.e., hallways).**

	Percent ( <i>n</i> )
Strongly agree	2.4% (39)
Somewhat agree	5.3% (85)
Neither agree nor disagree	12.4% (200)
Somewhat disagree	6.2% (100)
Strongly disagree	73.7% (1191)

Once an individual has made the choice of your setting, please select the one statement that best describes the level of individual choice at the setting.

	Percent ( <i>n</i> )
Individuals have complete control over the type of care or assistance they receive or from whom they receive care or assistance from.	8.6% (140)
While individuals have a lot of choice in the type of care or assistance they receive or from whom, they are not in complete control.	87.5% (1417)
Individuals have little choice in the type of care or assistance they receive and not have control over from whom they receive care or assistance.	3.8% (62)

Please select whether the following occur all of the time, most of the time, some of the time, or never.

**Individuals choose their daily clothing.**

	Percent ( <i>n</i> )
All of the time	68.5% (1112)
Most of the time	27.3% (443)
Some of the time	4.1% (67)
Never	0.1% (1)

**Setting providers maintain control over the individual's finances.**

	Percent ( <i>n</i> )
All of the time	12.6% (201)
Most of the time	30.4% (484)
Some of the time	38.0% (604)
Never	19.0% (302)

**Individuals are clean and well-groomed.**

	Percent ( <i>n</i> )
All of the time	56.5% (915)
Most of the time	43.0% (697)
Some of the time	0.4% (7)
Never	0.1% (1)

**Staff members assist the individuals who need help getting dressed, at a time designated by the individual.**

	Percent ( <i>n</i> )
All of the time	56.9% (921)
Most of the time	36.3% (587)
Some of the time	5.3% (86)
Never	1.5% (25)

**Staff members have difficulty getting along with individuals at the setting.**

	Percent ( <i>n</i> )
All of the time	0.7% (11)
Most of the time	0.4% (6)
Some of the time	46.1% (747)
Never	52.9% (1622)

How much, if at all, do you agree with the following statements about your setting? Do you strongly agree, somewhat agree, neither agree nor disagree, somewhat disagree, or strongly disagree?

**Individuals are able to have their own sense of style (haircut, clothing options).**

	Percent ( <i>n</i> )
Strongly agree	91.6% (1488)
Somewhat agree	7.4% (120)
Neither agree nor disagree	0.8% (13)
Somewhat disagree	0.2% (3)
Strongly disagree	

**Individuals are allowed to have their own checking and/or savings account.**

	Percent ( <i>n</i> )
Strongly agree	70.5% (1143)
Somewhat agree	16.0% (260)
Neither agree nor disagree	5.3% (86)
Somewhat disagree	2.4% (39)
Strongly disagree	5.8% (94)

**Individuals are NOT allowed to own cell phones, computers, and other mobile technological devices.**

	Percent ( <i>n</i> )
Strongly agree	1.4% (23)
Somewhat agree	2.5% (40)
Neither agree nor disagree	1.7% (27)
Somewhat disagree	6.7% (108)
Strongly disagree	87.8% (1426)

**Individuals have access to a kitchen setting.**

	Percent ( <i>n</i> )
Strongly agree	92.7% (1509)
Somewhat agree	5.4% (88)
Neither agree nor disagree	0.9% (14)
Somewhat disagree	0.4% (7)
Strongly disagree	0.6% (10)

**Individuals do NOT have access to do their own laundry.**

	Percent ( <i>n</i> )
Strongly agree	1.2% (19)
Somewhat agree	1.9% (30)
Neither agree nor disagree	0.7% (12)
Somewhat disagree	3.9% (64)
Strongly disagree	92.3% (1496)

**Individuals have access to a television in common areas.**

	Percent ( <i>n</i> )
Strongly agree	98.6% (1592)
Somewhat agree	0.7% (12)
Neither agree nor disagree	0.2% (3)
Somewhat disagree	0.0% (0)
Strongly disagree	0.5% (8)

**Individuals have access to cell phones, computers, and other mobile technological devices in common areas.**

	Percent ( <i>n</i> )
Strongly agree	61.4% (998)
Somewhat agree	18.1% (294)
Neither agree nor disagree	13.7% (222)
Somewhat disagree	3.8% (62)
Strongly disagree	3.0% (49)

**Appendix C****Assessment of Illinois Home and Community Based Services  
Agencies Providing Non-Residential Services**

Developed to assist the Illinois Statewide Transition Plan

Conducted by the Survey Research Office, Center for State Policy & Leadership, University  
of Illinois Springfield

(Draft report issued on January 22, 2015)

## Introduction

The purpose of this study is to examine the policies, procedures, and activities of non-residential settings for Home or Community Based Service waivers. In order to accomplish this, the UIS Survey Research Office, Center for State Policy & Leadership, used a multi-mode methodology in order to allow agencies and settings to self-report on the types of policies and procedures in place throughout settings in Illinois. This report contains four chapters in addition to this introduction.

1. **Scope of Project-** This section provides a brief introduction to the Centers for Medicare and Medicaid Services' (CMS) final rule relating to Home and Community Based Services (HCBS) for Medicaid-funded long term services and supports provided in residential and non-residential home and community-based settings.
2. **Summary of Results-** The purpose of this section is to summarize the results of the two surveys as well as provide an overview of the "Level of Autonomy Score" and the "Frequency of Independent Behaviors Score." These scores are the numerical values that will be used to identify the key areas of the Illinois Statewide Transition Plan. This section contains four subsections:
  - a. Results from the Agency-Specific Surveys
  - b. Characteristics of the Non-Residential Settings
  - c. Individuals' Access to the Community in Non-Residential Settings
  - d. Individuals' Personal Choice in Care Options in Non-Residential Settings.
3. **Methodology-** This section provides a detailed analysis of the methodological design of this project. There were systematic decisions on how to assess all aspects of the settings from engagement with the community, transportation opportunities, dining and meal accommodations, and personal autonomy and choice in care options. A detailed discussion of these decisions and the methodology employed by UIS researchers is provided in the methodology section.
4. **Survey Report-** This is a topline report which includes complete question wording and the frequency of responses to each of the answer categories.

## Scope of Project

The Centers for Medicare and Medicaid Services (CMS) published its final rule relating to Home and Community Based Services (HCBS) for Medicaid-funded long term services and supports provided in residential and non-residential home and community-based settings. The final rule took effect on March 17, 2014. According to this rule, states are required to submit transition plans to CMS within one year of the effective date indicating how they intend to comply with the new requirements within a reasonable time period.

In an effort to follow the CMS final rule guidance, the Illinois Department of Healthcare and Family Services, along with the Department of Human Services and the Department on Aging, developed several surveys with assistance of researchers from the UIS Survey Research Office in order to assess the State's current compliance with the new regulations specific to the residential and non-residential settings requirements. This report deals specifically with non-residential settings offered through HCBS waivers.

The following Illinois HCBS waivers are included in this analysis:

- Children and Young Adults with Developmental Disabilities
- Children that are Technology Dependent/Medically Fragile
- Persons with Disabilities
- Persons with Brain Injuries (BI)
- Adults with Developmental Disabilities
- Persons who are Elderly
- Persons with HIV or AIDs
- Supportive Living Facilities

The following types of settings are **not** included in this classification:

- Hospitals
- Institutions for mental diseases
- An *intermediate* care facility for individuals with intellectual disabilities
- Nursing facilities
- Mental health or DASA residential sites
- Residences for private pay residents only
- Individuals receiving care in their private residences/family homes

This report provides the results of the examination of non-residential settings for Illinois HCBS waivers.

## Summary of Results

The results chapter contains four main sections: Results from the Agency-Specific Surveys, Characteristics of the Non-Residential Settings, Individuals' Access to the Community in Non-Residential Settings, and Individuals' Personal Choice in Care Options in Non-Residential Settings. This executive summary provides an overview of each of the sections as well as a synopsis of the findings. It also provides an overview of the “Level of Autonomy Score” and a “Frequency of Independent Behaviors Score.” These scores are the numerical values that will be used to identify the next steps as part of the Illinois Statewide Transition Plan.

### *Results from the Agency-Specific Surveys*

The main survey required from each agency which operates at least one non-residential setting in Illinois was titled the “Agency-specific survey.” Agencies were able to complete this survey online, paper copies sent via U.S. mail, or over the phone with trained SRO interviewers. Of the 218 agencies operating at least one non-residential setting for Illinois waiver HCBS participants, 214 completed the agency-specific form. This resulted in a 98 percent completion rate among all agencies. The agencies that did not complete the agency-specific form will be contacted by their corresponding state agency in early 2015 in order to assess whether or not these agencies operate non-residential settings in Illinois. Those that do will be required to complete the agency-specific survey with an individual from the corresponding state agency (Illinois Departments of Healthcare and Family Services, Human Services, or Aging).

There are two main purposes of the agency-specific survey:

- 1) Determine the number of non-residential settings in Illinois for HCBS waivers;
- 2) Identify the agencies that have agency-wide policies and procedures that regulate various aspects of the daily operations of their settings.

The main findings of the agency-specific survey are listed below:

- There are currently 459 non-residential settings in Illinois.
- The majority of agencies have agency-wide policies that apply to the setting(s) regarding three issues: (a) visitation procedures, (b) right to privacy, and (c) community integration.
- The majority of agencies do not have agency-wide policies that limit the setting(s) for the following: (a) staff-individual interaction, (b) community engagement, and (c) engaging in legal activities. For the frequency of responses to these questions, please see the topline report at the end of this report.
- Eighty percent of settings have policies to support access to the greater community.
- Ninety percent of settings have policies that facilitate individual choices in care and services.
- Ninety-four percent of settings have policies that ensure individual privacy.
- Ninety-five percent of settings are physically accessible to the majority of individuals.

### *Characteristics of the Non-Residential Settings*

The setting-specific survey completed by 409 non-residential settings allows researchers to gain unique insight into the demographic characteristics of the non-residential settings. The demographic section provides three important pieces of information.

- 1) The number of individuals (both Illinois HCBS waivers and others) at each non-residential setting.
- 2) The physical location and type of building of each setting.
- 3) The controlling entity for each of the settings.

#### *Number of individuals*

The average number of waiver participants supported at each setting is 79, with 90 percent of the setting supporting fewer than 150 individuals.. This is out of an average number of 163 total individuals (waiver and non-waiver participants) at the non-residential settings.

#### *Physical location and type of building*

- Six settings (1.5%) report that they are “physically connected to a hospital, nursing facility, institution for mental disease, or an intermediate care facility for individuals with intellectual disabilities.”
- Twenty-eight (6.9%) report that while they are not physically connected, they are on the grounds or adjacent to these types of facilities.
- The majority (91.6%) report that they are not physically connect nor adjacent to these type of facilities.

When we examine types of settings, we find that the majority of respondents are Developmental Training settings with 68.7 percent reporting that this describes their setting.

**Table 1. Types of settings**

	Percent ( <i>n</i> )
Adult Day Care	16.9% (69)
Adult Day Health Services	3.9% (16)
Developmental Training	68.7% (281)
Prevocational Services (services provided under the brain injury waiver)	0.2% (1)
Supported Employment	5.1% (21)

When asked to describe this setting as located in a rural area (located outside of a metropolitan area), located in a suburban area, or located in an urban area, respondents were split evenly across all three categories. As seen in the table below, a slightly higher percentage reported being in a rural areas, 37.8 percent compared to 34.3 percent who reported being in a suburban area, and 34.3 percent who reported being in an urban area.

**Table 2. Description of settings**

	Percent ( <i>n</i> )
Located in a rural area (located outside of a metropolitan area)	37.8% (153)
Located in a suburban area	34.3% (139)
Located in an urban area	27.9% (113)

When asked to describe the setting, the majority described it as a stand-alone building located on a public street or highway. Table 3 provides the complete list.

**Table 3. Physical description of settings**

	Percent ( <i>n</i> )
Multiple settings co-located/campus	14.2% (58)
A gated/secured community	1.2% (5)
Stand-alone building located on a public street or highway	84.6% (346)
Hospital	0.5% (2)
Nursing homes	0.7% (3)

### *Controlling Entity*

In addition, when asked what entity or entities control(s) the policies or procedures for the setting, 84 percent report that it is the parent agency or organization. Eleven percent report that the individual setting controls the policies or procedures (46), followed by a subsidiary or foundation (0.2%).

Finally, settings were told to identify all of the state agencies from which they receive funding for their services. As seen in the table below, the Illinois Department of Human Services is the largest funder for services.

**Table 4. State Agency Funding Services**

	Number of settings
Illinois Department of Healthcare and Family Services	115
Illinois Department of Human Services Division of Developmental Disabilities	335
Illinois Department of Human Services Division of Rehabilitation Services	77
Illinois Department on Aging	152

The final two results sections discuss the results of the setting-specific survey. The setting-specific survey deals with all aspects of the non-residential settings. In order to reduce the complexity of this instrument, we have categorized these into two factors: Individual's Access to the Community in Non-Residential Settings and Individuals' Personal Autonomy and Choice in Care Options in Non-Residential Settings. Each of these sections has the following subsections.

### Individuals' Access to the Community in Non-Residential Settings

- Community Engagement
- Transportation Opportunities

## Individuals' Personal Choice in Care Options in Non-Residential Settings

- Individual Care Plans
- Setting Accommodations

Each of settings receives two scores within each of the four subsections: a “Level of Autonomy Score” and a “Frequency of Independent Behaviors Score.” These scores measure related but unique concepts. The “Level of Autonomy Score” measures what level of autonomy or personal freedom individuals experience based on the policies of each non-residential setting. The “Frequency of Independent Behaviors Score” measures how often individuals engage in these autonomous behaviors. These scores are calculated similarly among all of the four subsections.

“Level of Autonomy Score”- This score is calculated using items on a five-point Likert scale ranging from “Strongly Agree (5), Somewhat Agree (4), Neither Agree nor Disagree (3), Somewhat Disagree (2), Strongly Agree (1).” Settings were asked to report their level of agreement on a variety of different items measuring each of the four subsections. For example, one of the items measuring community engagement using the Likert scale asked respondents their level of agreement with the following statement: *Individuals are given easy access to the community outside of the setting.* While each of the subsections may have a different number of items measuring the concept, the “Level of Autonomy Scores” are standardized.

The scores for each of the subsections range from 1 to 5, where 1 indicates the lowest level of autonomy and 5 indicates the highest level of autonomy. The table below provides the mean “Level of Autonomy Score” for each of the subsections with the standard deviations in parentheses.

**Table 5. Level of Autonomy Scores**

	Level of Autonomy Score
Community Engagement	3.76 (.64)
Transportation Opportunities	3.84 (.67)
Individual Care Plans	3.78 (.59)
Setting Accommodations	3.79 (.40)

As seen in the table above, all of the “Level of Autonomy Scores” range between the neutral category (3: Neither Agree nor Disagree”) and the strong agreement category (5: “Strongly Agree”). Overall, this indicates a high level of autonomy in each of the four subsections. Transportation Opportunities has the highest “Level of Autonomy Score” while Community Engagement has the lowest “Level of Autonomy Score.” To find a detailed discussion of the items that constructed each of these scores, please see the corresponding section in the following pages.

“Frequency of Independent Behaviors Score”- This score is calculated using a four-point frequency measure ranging from “All of the time” (4), “Most of the time” (3), “Some of the time” (2), “Never” (1). Settings were asked to report how often a variety of different behaviors occurs for each of the four subsections. For example, one of the items measuring individual care plans using the frequency scale asks respondents to report the frequency of the following item: *Individuals' complaints are addressed in a timely manner.*

The scores for each of the subsections range from 1 to 4, where 1 indicates the lowest frequency amount and 4 indicates the highest frequency amount. The table below provides the mean “Frequency of Independent Behaviors Score” for each of the subsections with the standard deviations in parentheses.

**Table 6. Frequency of Independent Behaviors Score**

	<b>Frequency of Independent Behaviors Score</b>
Community Engagement	2.85 (.69)
Transportation Opportunities	3.47 (.56)
Individual Care Plans	3.31 (.31)
Setting Accommodations	3.07 (.73)

As seen in the table above, all of the “Frequency of Independent Behaviors Scores” range between “Some of the Time” (2) and “All of the Time” (4). Individual Care Plans has the highest “Frequency of Independent Behaviors Score” at 3.31. This indicates that when it comes to individuals’ care plans, the majority of individuals are able to assert a high level of independent behavior. The lowest “Frequency of Independent Behaviors Score” is Community Engagement with 2.85. To find a detailed discussion of the items that constructed each of these scores, please see the corresponding section in the following pages.

The following pages discuss the four subsections of the results section. Each of the sections provides an overview of the findings (bullet points), and detailed descriptions of both the “Level of Autonomy Score” and the “Frequency of Independent Behaviors Score.”

#### *Individuals’ Access to the Community in Non-Residential Settings*

This results section is concerned with the policies and procedures in place that allow individuals to be able to access the external community, outside of the non-residential setting. This section contains two subsections: Community Engagement and Transportation Opportunities.

#### Community Engagement

- Overall, community engagement within the nonresidential settings scored the lowest on both the measure of Level of Autonomy as well as the Frequency of Independent Behaviors.
- Slightly more than half of non-residential settings report that individuals regularly engage in community activities while at the setting (55.3 percent), compared to 35.5 percent who report that individuals engage occasionally, and 9.2 percent who report that the individuals do not participate often.
- Sixty-percent of non-residential settings report that helping individuals obtain integrated employment opportunities is part of their service.
- The overall “Level of Autonomy Score” for community engagement is 3.76 (out of 5); The “Frequency of Independent Behaviors Score” for community engagement is 2.85 (out of 4).

The overall “Level of Autonomy Score” for community engagement is 3.76, which indicates a lower level of autonomy for participants in terms of their engagement in the community. When we examine the six items that constructed this score, we find slight differences among the different measures. The table below presents the percent of respondents who self-reported a “1” on this item (which indicates a low level of autonomy). The item that had the highest percent of respondents reporting that a low autonomy score is “Participants are able to come and go as they please.” One-fourth of settings reported that this was not true at their setting.

**Table 7. Items of “Level of Autonomy Score”**

	<b>Percent reporting lowest rating of autonomy</b>
Participants are able to come and go as they please.	25.1%
Participants know where to find information on community activities.	3.3%
Participants are given easy access to the community outside of the setting.	4.8%

The “Frequency of Independent Behaviors Score” was constructed using six items listed in the table below. The overall score for community engagement is 2.85, which indicates the lowest level of the frequency of independent behaviors. The table below presents the percent of respondents who self-reported a “1” on this item (which indicates the survey response of “never,” the lowest frequency score). As you can see in the table, the item that had the highest percent of respondents reporting a low frequency score is “participants and community members interact at the setting.” However, fewer than 10 percent reported a “never” for all of these items.

**Table 8. Items of “Frequency of Independent Behaviors Score”**

	<b>Percent reporting lowest level of frequency</b>
Participants and community members interact at the setting.	5.8%
Participants pursue integrated/competitive employment opportunities.	5.6%
Participants pursue other employment opportunities (both paid and volunteer).	4.8%
Participants have the opportunity to engage in community activities while at the setting (both at the setting and in the community).	3.0%
Individuals pursue competitive employment opportunities.	3.0%
Interested participants are given the resources on how to obtain employment.	2.8%
Participants talk about community activities occurring outside of the setting.	1.5%

### Transportation Opportunities

- Overall, transportation opportunities (both in terms of level of autonomy and frequency of independent behaviors) received the highest evaluation by non-residential settings.
- Eighty-three percent of non-residential settings report that there are retail businesses near their setting.
- Ninety percent of non-residential settings provide regularly-scheduled transportation opportunities to participants.
- The overall “Level of Autonomy Score” for transportation opportunities is 3.84; the “Frequency of Independent Behaviors Score” for transportation opportunities is 3.47.

The overall “Level of Autonomy Score” for transportation opportunities is 3.84, which indicates a high level of autonomy for participants in terms of their transportation opportunities. When we examine the four items that constructed this score, we find slight differences among the items. The table below presents the percent of respondents who self-reported a “1” on this item (which indicates a low level of autonomy). As you see in the table, the item that had the highest percent of respondents reporting a low autonomy score is “transportation opportunities are not limited for participants.”

**Table 9. Items of “Level of Autonomy Score”**

	<b>Percent reporting lowest rating of autonomy</b>
There are public transportation opportunities available to participants in the setting.	8.9%
The setting provides transportation opportunities to participants outside of regularly scheduled options.	12.7%
Transportation opportunities are not limited for participants.	15.9%
Participants feel confident using the transportation opportunities provided by the setting.	1.1%

The “Frequency of Independent Behaviors Score” was constructed using three items listed in the table below. The overall score for transportation opportunities is 3.475, which indicates a high level of the frequency of independent behaviors in terms of transportation opportunities. The table below presents the percent of respondents who self-reported a “1” on this item (which indicates the survey response of “never,” the lowest frequency score). As you can see in the table, the item that had the highest percent of respondents reporting a low frequency score is “participants are informed/educated on how to use public transportation.” Yet, less than 3 percent of non-residential settings reported that this “never” happens.

**Table 10. Items of “Frequency of Independent Behaviors Score”**

	<b>Percent reporting lowest level of frequency</b>
Participants are informed/educated on how to use public transportation.	2.5%
Participants use the transportation opportunities provided by the setting.	0.3%
Participants know how to contact a staff member about transportation opportunities.	1.6%

### *Participants’ Personal Choice in Care Options in Non-Residential Settings*

This results section is concerned about the level of personal choice individual participants have while attending the settings. This includes their individual care plans, their sense of individuality, their dining arrangements, and their interactions with visitors and staff members. This section contains two subsections: Individual Care Plans and Setting Accommodations.

#### Individual Care Plans

- A vital component of the new federal regulations is that participants at non-residential settings have flexibility and freedom in developing their individual care plans. The results of this survey indicate that the frequency of independent behaviors associated with individual care plans is at a moderate level.
- The majority of the non-residential settings that responded to this survey report that participants have a lot of choice.
- Almost all of the settings (97%) report that the average individual at their setting has been asked about their goals and aspirations in the past 12 months and 69.7 percent report that participants make changes to their plan of care “as needed or as requested.”
- The overall “Level of Autonomy Score” for individual care plans is 3.78, the “Frequency of Independent Behaviors Score” for individual care plans is 3.31.

The overall “Level of Autonomy Score” for individual care plans is 3.78, which indicates a moderate level of autonomy for participants in terms of their individual care plans. When we examine the six items that constructed this score, we find slight differences among the measures. The table below presents the percent of respondents who self-reported a “1” on this item (which indicates the lowest level of autonomy). The item that had the highest percent of respondents reporting the lowest autonomy score is “Participants’ requests regarding their care are forward to an independent/non-setting based case manager.”

**Table 11. Items of “Level of Autonomy Score”**

	<b>Percent reporting lowest rating of autonomy</b>
Participants feel comfortable expressing concerns regarding their care.	1.0%
Participants know how make changes to their plans of care.	0.8%
Information on how to file a complaint is easily accessible to participants.	5.5%
Participants have a choice of which provider staff delivers care/support.	4.5
Participants’ requests regarding their care are forwarded to an independent/non-setting based case manager.	13.9%
Schedules for PT, OT, medication, diet, or other care options are NOT posted in common areas (i.e., hallways).	7.3%

The “Frequency of Independent Behaviors Score” was constructed using eight items listed in the table below. The overall score for individual care plan is 3.31, which indicates the high level of the frequency of independent behaviors in terms of individual care planning. The table below presents the percent of respondents who self-reported a “1” on this item (which indicates the survey response of “never,” the lowest frequency score). The item that had the highest percent of respondents reporting a low frequency score is “Staff members do not discuss participants with other staff members in public spaces.” 7 percent of settings reporting that this never happens.

**Table 12. Items of “Frequency of Independent Behaviors Score”**

	<b>Percent reporting lowest level of frequency</b>
Individual complaints are addressed in a timely manner.	0.0%
Participants make changes to their plan of care as needed.	2.6%
Participants with concerns, discuss the concerns with the setting staff.	0.8%
Participants provide input into their daily schedules.	1.0%
Staff members do not discuss participants with other staff members in public spaces.	7.1%
When an individual files a complaint, it is considered confidential.	0.3%
When needed, participants know how to request a new/additional service.	1.3%
Participants have the opportunity to express their level of satisfaction with the services they are receiving.	0.0%

### Setting Accommodations

- One way that participants are able to express their own personal choice is in their dining and meal decisions. According to the survey results, only 35.6 percent of non-residential settings provide or arrange for meals and food for participants while at the setting. Of those, only one-fourth report that the individuals have a lot of choice when it comes to dining/food options.
- According to the survey results, participants have a moderate level of autonomy when it comes to their setting accommodations as well as demonstrate a moderate amount of independent behaviors.
- The overall “Level of Autonomy Score” for setting accommodations is 3.80; the “Frequency of Independent Behaviors Score” is 3.07.

The overall “Level of Autonomy Score” for setting accommodations is 3.80. When we examine the ten items that constructed this score, we find slight differences among the items. The table below presents the percent of respondents who self-reported a “1” on this item (which indicates the lowest level of autonomy). The item that had the highest percent of respondents reporting the lowest autonomy score is “Participants are able to set their own dining/meal-time schedules.”

**Table 13. Items of “Level of Autonomy Score”**

	<b>Percent</b>
Persons without disabilities (other than staff members) engage with the participants at the setting.	6.2%
Community members are allowed to visit the setting at any time.	2.0%
Participants at the setting use a common entrance.	7.7%
The setting is not located in the same physical structure where individuals live or are treated on a permanent or temporary basis.	4.4%
Participants are free to move about public areas within the setting.	1.2%
Community members come to the setting to discuss external community activities.	11.2%
Participants have the opportunity to access areas that provide privacy while at the setting (excluding restroom facilities).	2.2%
Participants are not assigned seating during meal-times.	3.4%
Participants are able to set their own dining/meal-time schedules.	32.8%
Participants engage with others during meal-times.	1.6%

The “Frequency of Independent Behaviors Score” was constructed using two items listed in the table below. It is important to note that this only applies to the 143 non-residential settings that provide food or meal accommodations. The overall score is 3.07, which indicates a moderate level of the frequency of independent behaviors in terms for setting accommodations. The table below presents the percent of respondents who self-reported a “1” on this item (which indicates the survey response of “never,” the lowest frequency score).

**Table 14. Items of “Frequency of Independent Behaviors Score”**

	<b>Percent reporting lowest level of frequency</b>
There is more than one meal option during meal-times.	11.9%
Between designated meal-times, the setting provides other food or refreshments.	6.3%

## **Methodology**

The HCBS non-residential survey is actually two surveys: an agency-specific survey and a setting-specific survey. Every agency was required to fill out both an agency-specific non-residential survey as well as a setting-specific non-residential survey for each of their non-residential settings. Settings were able to participate in the surveys via online, mail, and phone.

The Illinois Department of Healthcare and Family Services, along with the Department of Human Services and the Department on Aging provided a list of agencies which operate non-residential settings offered through HCBS waivers. A total of 218 agencies met these guidelines. Mailing addresses, contact information for the director of each agency, and email addresses were provided by each of the corresponding state agencies. All agencies were contacted at least five times by researchers at the Survey Research Office (SRO).

The first contact to the agencies was through emails from their corresponding state agencies: Illinois Departments of Healthcare and Family Services, Human Services, or Aging. After the email distribution, the same information was sent from the SRO in an introductory letter via U.S. Postal Service on October 17, 2014. This correspondence discussed the need for Illinois to take inventory of all supportive congregate and/or group non-residential settings that are not hospitals, nursing homes, IMDs or ICF-DDs. This letter also informed the agency that they will be receiving information on how to complete a survey for their non-residential settings from the University of Illinois at Springfield (UIS). In addition, the recipients received specific language explaining that while there are no right or wrong answers to questions, their participation in the survey is mandatory.

The first round of survey instruments was sent to each of the 218 agencies via U.S. Postal Service on October 31<sup>st</sup>, 2014. Included in the mailing was an introductory letter to the director of the agency, an agency-specific survey, six copies of the setting-specific survey, and five business reply envelopes. The agency-specific survey contained an identifying tracking number in order for SRO researchers to keep track of the agencies who had completed the surveys. Settings were instructed that they could complete the hard copies of the surveys included in the mailing packet or complete the surveys online through provided URLs. If agencies needed additional copies of the setting-specific survey, they were instructed to contact the SRO via email or telephone.

A reminder postcard was sent to all of the agencies on November 13<sup>th</sup>, 2014. This postcard contained the project identification number for each of the agencies as well the URL to complete the surveys online. A second mailing occurred on November 21<sup>st</sup>, 2014. This mailing included the introductory letter, the agency-specific survey, and one copy of the setting-specific survey. Agencies that had not completed the surveys by January 5<sup>th</sup>, 2015 received phone calls from trained SRO interviewers. These phone calls were placed at different dates and times of the work week in an effort to increase the number of responses. Phone interviews concluded on January 16, 2015. The survey closed on January 20, 2015.

Through these various methods, SRO was able to get information through the survey from 214 of the 218 agencies (93.6%) that operate non-residential settings in Illinois. In addition, these agencies are responsible for operating 409 non-residential settings in Illinois.

Response bias may occur within surveys that rely on self-assessment, especially in situations in which funding may be in jeopardy. The following steps were taken to mitigate this bias:

1) The instructions attached to both surveys -- agency-specific and setting-specific -- emphasized that the data provided by both the agency and the setting are for informational purposes only and will not be used to assess the federal compliance of either the agency or the setting.

2) The following information was included on every page of the setting-specific survey:

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**REMINDER:** The input you provide will be used to inform the Transition Plan and will NOT be used to evaluate whether the setting is currently in compliance with the new federal requirements. For example, selecting “Never” or “Strongly Disagree” for one of the items does not indicate that you are not in compliance. *Please answer the questions based on what “typically occurs” in the setting.* The emphasis is on what are in the setting’s policies and procedures. It is recognized that individual’s plans of care may dictate certain restrictions that would be documented to cause harm or reflect one’s abilities.

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3) The majority of both surveys used Likert scales to effectively evaluate agencies and settings. The Likert technique is one of the most used and most validated survey designs. It involves asking a respondent to indicate how much he/she agrees or disagrees with each of a set of statements. The surveys used a five-point Likert response scale: strongly disagree, disagree, neutral, agree, strongly agree.

4) Each survey included both positive statements (Participants have access to a kitchen setting.) and negative statements. (Participants do NOT have access to do their own laundry.) When a survey or section of a survey contains only positive or only negative items, research shows that this can influence how people respond. A set of items worded only positively (with no negative items mixed in) can induce a positive bias from respondents. They respond by agreeing with those items more than they might if the set also included negatively worded items. The same goes for only framing survey items negatively. Thus, to reduce this bias, the surveys always include a mix of positively and negatively worded items.

5) In addition to the Likert design, the survey included questions on the frequency of certain behaviors, rather than just asking whether the behavior occurs or not. The questions included asking respondents “how often” certain activities occur at the setting. The four-point response categories ranged from “all of the time,” “most of the time,” “some of the time,” and “never.” Including this scale allows participants to provide more specific and useful information.

The following report is separated into four sections: Results from the Agency-specific Surveys, Demographics of the Non-Residential Settings, Participants’ Access to the Community in Non-Residential Settings, Participants’ Personal Autonomy and Choice in Care Options in Non-Residential Settings.

If you have any questions or comments about this report, please contact the Survey Research Office:

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## Topline Report

### Agency-Specific Surveys

How much, if at all, do you agree with the following statements about your agency? Do you strongly agree, somewhat agree, somewhat disagree, or strongly disagree? If you do not know the answer, please check “Don’t know.”

**There are agency-wide policies that apply to the setting(s) regarding visitation from community members, this refers to participants who are not currently being treated by the setting.**

	Percent ( <i>n</i> )
Strongly agree	49.0% (96)
Somewhat agree	29.6% (58)
Somewhat disagree	7.7% (15)
Strongly disagree	9.7% (19)
Don’t know	4.1% (8)

**There are agency-wide policies and procedures that disallow participants from engaging in legal activities at its setting(s).**

	Percent ( <i>n</i> )
Strongly agree	11.2% (22)
Somewhat agree	7.7% (15)
Somewhat disagree	11.7% (23)
Strongly disagree	51.0% (100)
Don’t know	18.4% (36)

**There are agency-wide policies and procedures that disallow participants from engaging in community activities at its setting(s).**

	Percent ( <i>n</i> )
Strongly agree	3.1% (6)
Somewhat agree	3.6% (7)
Somewhat disagree	8.7% (17)
Strongly disagree	79.1% (155)
Don’t know	5.6% (11)

**There are agency-wide policies and procedures that limit individual interaction with staff members at the setting(s).**

	Percent ( <i>n</i> )
Strongly agree	4.1% (8)
Somewhat agree	7.2% (14)
Somewhat disagree	7.7% (15)
Strongly disagree	80.0% (156)
Don’t know	1.0% (2)

**There are agency-wide policies and procedures that ensure an individual's right to privacy.**

	Percent ( <i>n</i> )
Strongly agree	97.5% (193)
Somewhat agree	2.0% (4)
Somewhat disagree	0% (0)
Strongly disagree	0.5% (1)
Don't know	0% (0)

**There are agency-wide policies and procedures that ensure that the setting(s) are integrated in the community.**

	Percent ( <i>n</i> )
Strongly agree	59.7% (117)
Somewhat agree	33.7% (66)
Somewhat disagree	2.6% (5)
Strongly disagree	1.5% (3)
Don't know	2.6% (5)

Please answer whether the following apply to all of your settings, some of your settings, none of your settings. If you do not know the answer, please check "Don't know."

**There are policies to support access to the greater community at the setting(s).**

	Percent ( <i>n</i> )
Applies to all of our settings	79.7% (157)
Applies to some of our settings	11.2% (22)
Applies to none of our settings	4.1% (8)
Don't know	5.1% (10)

**There are policies that facilitate individual choice in types of services provided to the individual at the setting.**

	Percent ( <i>n</i> )
Applies to all of our settings	90.9% (180)
Applies to some of our settings	5.6% (11)
Applies to none of our settings	3.5% (7)
Don't know	0% (0)

**The setting is physically accessible to the majority of participants.**

	Percent ( <i>n</i> )
Applies to all of our settings	94.4% (187)
Applies to some of our settings	5.6% (11)
Applies to none of our settings	0% (0)
Don't know	0% (0)

**There are policies that ensure participants have privacy while at the setting(s).**

	Percent ( <i>n</i> )
Applies to all of our settings	93.9% (186)
Applies to some of our settings	3.5% (7)
Applies to none of our settings	1.5% (3)
Don't know	1.0% (2)

*Setting-Specific Survey*

How many HCBS or other State-funded approved participants are supported at this location?

	Percent ( <i>n</i> )
Less than five	9.5% (37)
Five to 10 participants	4.6% (18)
11-20 participants	12.6% (53)
21-50 participants	27.6% (116)
More than 50 participants	45.7% (185)

Out of how many total participants?

	Percent ( <i>n</i> )
Less than five	1.3% (5)
Five to 10 participants	4.3% (11)
11-20 participants	8.3% (20)
21-50 participants	33.1% (88)
More than 50 participants	53.0% (285)

Which of the following best describes your setting?

	Percent ( <i>n</i> )
Physically connected to a hospital, nursing facility, institution for mental diseases, or an intermediate care facility for participants with intellectual disabilities.	1.5% (6)
Not physically connected but on the grounds or adjacent to a hospital, nursing facility, institution for mental diseases, or an intermediate care facility for participants with intellectual disabilities.	6.9% (28)
Not physically connected or adjacent hospital, nursing facility, institution for mental diseases, or an intermediate care facility for participants with intellectual disabilities.	91.6% (373)

Please identify all state agencies with whom you may receive funding to provide services for:

	Percent (n)
Illinois Department of Healthcare and Family Services	28.1% (115)
Illinois Department of Human Services Division of Developmental Disabilities	81.9% (335)
Illinois Department of Human Services Division of Rehabilitation Services	37.2% (77)
Illinois Department on Aging	18.8% (152)

Which of the following best describes the setting?

	Percent (n)
Adult Day Care	16.9% (69)
Adult Day Health Services	3.9% (16)
Developmental Training	68.7% (281)
Prevocational Services (services provided under the brain injury waiver)	0.2% (1)
Supported Employment	5.1% (21)
Other, please specify:	5.1% (21)

Would you describe this setting as located in a rural area, located in a suburban area, or located in an urban area?

	Percent (n)
Located in a rural area (located outside of a metropolitan area)	37.8% (153)
Located in a suburban area	34.3% (139)
Located in an urban area	27.9% (113)

What entity/entities control(s) the policies or procedures for this setting?

	Percent (n)
The parent agency/organization	84.0% (341)
The individual setting	11.3% (46)
A subsidiary or foundation	0.2% (1)
Other, please specify:	4.4% (18)

*Others mentioned: Board of Directors, Both parent and individual setting, Both the individual setting and the parent organization, Both the parent agency and the individual setting, Both the parent organization and the individual setting, Both the setting and the parent agency, IL Dept. of Human Services, Illinois Department of Transportation, The Board of Directors, The parent agency/organization; The individual setting, Volunteer Board of Director from member churches and Executive Director*

Please select all of the following that describe this setting:

	Percent ( <i>n</i> )
Multiple settings co-located/campus	14.2% (58)
A gated/secured community	1.2% (5)
Stand-alone building located on a public street or highway	84.6% (346)
Hospital	0.5% (2)
Nursing homes	0.7% (3)

### *Setting Characteristics*

The next set of questions deal with the accommodations provided by your non-residential setting for participants. How much, if at all, do you agree with the following statements about your setting? Do you strongly agree, somewhat agree, neither agree nor disagree, somewhat disagree, or strongly disagree?

#### **Persons without disabilities (other than staff members) engage with the participants at this setting.**

	Percent ( <i>n</i> )
Strongly agree	43.5% (175)
Somewhat agree	29.1% (117)
Neither agree nor disagree	8.2% (33)
Somewhat disagree	12.9% (52)
Strongly disagree	6.2% (25)

#### **Community members are NOT allowed to visit the setting at any time.**

	Percent ( <i>n</i> )
Strongly agree	2.0% (8)
Somewhat agree	2.7% (11)
Neither agree nor disagree	4.0% (16)
Somewhat disagree	13.4% (54)
Strongly disagree	77.9% (314)

#### **Participants at the setting use a common entrance.**

	Percent ( <i>n</i> )
Strongly agree	71.1% (286)
Somewhat agree	14.4% (58)
Neither agree nor disagree	3.7% (15)
Somewhat disagree	3.0% (12)
Strongly disagree	7.7% (31)

**The setting is located in the same physical structure where participants live or are treated on a permanent or temporary basis.**

	Percent ( <i>n</i> )
Strongly agree	4.4% (18)
Somewhat agree	3.5% (14)
Neither agree nor disagree	2.0% (8)
Somewhat disagree	3.5% (14)
Strongly disagree	86.7% (351)

**Participants are free to move about public areas within the setting (common areas, dining rooms).**

	Percent ( <i>n</i> )
Strongly agree	74.6% (302)
Somewhat agree	17.5% (71)
Neither agree nor disagree	2.5% (10)
Somewhat disagree	4.2% (17)
Strongly disagree	1.2% (5)

**Participants have the opportunity to access areas that provide privacy while at the setting (excluding restroom facilities).**

	Percent ( <i>n</i> )
Strongly agree	68.6% (227)
Somewhat agree	17.6% (71)
Neither agree nor disagree	5.2% (21)
Somewhat disagree	6.4% (26)
Strongly disagree	2.2% (9)

**Community members come to the setting to discuss external community activities.**

	Percent ( <i>n</i> )
Strongly agree	31.9% (128)
Somewhat agree	31.9% (128)
Neither agree nor disagree	16.0% (64)
Somewhat disagree	9.0% (36)
Strongly disagree	11.2% (45)

Once an individual has made the choice of your setting, please select the one statement that best describes the level of individual choice at the setting.

	Percent ( <i>n</i> )
Participants have complete control over the type of care or assistance they receive or from whom they receive care or assistance from.	20.6% (83)
While participants have a lot of choice in the type of care or assistance they receive or from whom, they are not in complete control.	75.7% (305)
Participants have little choice in the type of care or assistance they receive and not have control over from whom they receive care or assistance.	3.7% (15)

### *Community Activities*

The first set of questions deal with access to community activities (events occurring **external to your setting** such as religious services, shopping, employment, or other social/personal/family events outside of the setting). We are interested in how participants participate in unscheduled and scheduled community activities at your setting.

How often, if at all, do participants participate in community activities while residing at the setting? Would you say that the majority of participants participate in these activities regularly, occasionally, or not often at all?

	Percent ( <i>n</i> )
Regularly	55.3% (223)
Occasionally	35.5% (143)
Not often at all	9.2% (37)

Is helping participants obtain volunteer opportunities part of your service?

	Percent ( <i>n</i> )
Yes	67.0% (236)
No	33.0% (116)

Please select whether the following occur all of the time, most of the time, some of the time, or never.

### **Participants talk about community activities occurring outside of the setting.**

	Percent ( <i>n</i> )
All of the time	41.0% (163)
Most of the time	29.1% (116)
Some of the time	28.4% (113)
Never	1.5% (6)

### **Participants have the opportunity to engage in community activities while at the setting (both at the setting and in the community).**

	Percent ( <i>n</i> )
All of the time	35.8% (142)
Most of the time	29.0% (115)
Some of the time	32.2% (128)
Never	3.0% (12)

**Participants and community members interact at the setting.**

	Percent ( <i>n</i> )
All of the time	25.1% (100)
Most of the time	17.1% (68)
Some of the time	52.0% (207)
Never	5.8% (23)

How much, if at all, do you agree with the following statements about your setting? Do you strongly agree, somewhat agree, neither agree nor disagree, somewhat disagree, or strongly disagree?

**Participants do NOT know where to find information on community activities.**

	Percent ( <i>n</i> )
Strongly agree	3.3% (13)
Somewhat agree	9.6% (38)
Neither agree nor disagree	20.9% (83)
Somewhat disagree	26.2% (104)
Strongly disagree	40.1% (159)

**There are setting rules that prohibit participants from coming and going as they please.**

	Percent ( <i>n</i> )
Strongly agree	25.1% (100)
Somewhat agree	31.4% (125)
Neither agree nor disagree	12.6% (50)
Somewhat disagree	11.6% (46)
Strongly disagree	19.3% (77)

**Participants are given easy access to the community outside of the setting.**

	Percent ( <i>n</i> )
Strongly agree	32.6% (130)
Somewhat agree	34.8% (139)
Neither agree nor disagree	17.5% (70)
Somewhat disagree	10.3% (41)
Strongly disagree	4.8% (19)

Is helping participants obtain integrated employment opportunities part of your service?

	Percent ( <i>n</i> )
Yes	59.9% (227)
No	40.1% (152)

*Only answer these questions if you answered “yes” to the question above. If your setting does not provide employment opportunities, please continue to the next page.*

Please select whether the following occur all of the time, most of the time, some of the time, or never.

**Participants pursue integrated /competitive employment opportunities.**

	Percent ( <i>n</i> )
All of the time	22.9% (57)
Most of the time	14.9% (37)
Some of the time	56.6% (141)
Never	5.6% (14)

**Participants pursue other employment opportunities (both paid and volunteer).**

	Percent ( <i>n</i> )
All of the time	26.5% (66)
Most of the time	20.5% (51)
Some of the time	48.2% (120)
Never	4.8% (12)

**Interested participants are given the resources on how to obtain employment.**

	Percent ( <i>n</i> )
All of the time	66.3% (165)
Most of the time	20.1% (50)
Some of the time	10.8% (27)
Never	2.8% (7)

*Personal Accommodations (Dining and Travel)*

The next set of questions deal with travel accommodations provided by your non-residential setting. We are interested in the transportation opportunities and access at your setting. How much, if at all, do you agree with the following statements about your setting? Do you strongly agree, somewhat agree, neither agree nor disagree, somewhat disagree, or strongly disagree?

**There are NO public transportation opportunities available to participants to/from the setting.**

	Percent ( <i>n</i> )
Strongly agree	8.9% (36)
Somewhat agree	11.6% (47)
Neither agree nor disagree	3.5% (14)
Somewhat disagree	27.7% (112)
Strongly disagree	48.4% (196)

**The setting provides transportation opportunities to participants outside of regularly schedule options.**

	Percent ( <i>n</i> )
Strongly agree	36.2% (146)
Somewhat agree	31.3% (126)
Neither agree nor disagree	5.2% (21)
Somewhat disagree	14.6% (59)
Strongly disagree	12.7% (51)

Are retail businesses near your setting?

	Percent ( <i>n</i> )
Yes	83.2% (332)
No	16.8% (67)

Does your setting provide regularly scheduled transportation opportunities to participants? (This includes transportation to community activities, transportation to community services, transportation to/from setting).

	Percent ( <i>n</i> )
Yes	90.3% (363)
No	9.7% (39)

*Only answer these questions if you answered “yes” to the questions above. If your setting does not provide transportation opportunities, please continue to the next page.*

Please select whether the following occur all of the time, most of the time, some of the time, or never.

**Participants are informed/educated on how to use public transportation opportunities.**

	Percent ( <i>n</i> )
All of the time	57.9% (212)
Most of the time	21.6% (79)
Some of the time	18.0% (66)
Never	2.5% (9)

**Participants use the transportation opportunities provided by the setting.**

	Percent ( <i>n</i> )
All of the time	65.6% (239)
Most of the time	25.2% (92)
Some of the time	9.0% (33)
Never	0.3% (1)

**Participants know how to contact a staff member about transportation opportunities.**

	Percent ( <i>n</i> )
All of the time	64.5% (236)
Most of the time	21.9% (80)
Some of the time	12.0% (44)
Never	1.6% (6)

How much, if at all, do you agree with the following statements about your setting? Do you strongly agree, somewhat agree, neither agree nor disagree, somewhat disagree, or strongly disagree?

**Transportation opportunities are limited for participants.**

	Percent ( <i>n</i> )
Strongly agree	15.9% (58)
Somewhat agree	33.2% (121)
Neither agree nor disagree	9.0% (33)
Somewhat disagree	24.4% (89)
Strongly disagree	17.5% (64)

**Participants feel confident using the transportation opportunities provided by the setting.**

	Percent ( <i>n</i> )
Strongly agree	76.5% (280)
Somewhat agree	17.8% (65)
Neither agree nor disagree	3.8% (14)
Somewhat disagree	0.8% (3)
Strongly disagree	1.1% (4)

Does your setting provide a space for participants to have a meal at the setting?

	Percent ( <i>n</i> )
Yes	95.0% (384)
No	5.0% (20)

*Only answer these questions if you answered “yes” to the questions above. If your setting does not provide dining/food accommodations, please continue to the next page.*

**Participants are assigned seating during meal-times.**

	Percent ( <i>n</i> )
Strongly agree	3.4% (13)
Somewhat agree	13.6% (52)
Neither agree nor disagree	5.5% (21)
Somewhat disagree	13.8% (53)
Strongly disagree	63.7% (244)

**Participants are able to set their own dining/meal-time schedule.**

	Percent ( <i>n</i> )
Strongly agree	9.9% (38)
Somewhat agree	15.4% (59)
Neither agree nor disagree	9.6% (37)
Somewhat disagree	32.3% (124)
Strongly disagree	32.8% (126)

**Participants do NOT engage with others during meal-times.**

	Percent ( <i>n</i> )
Strongly agree	1.6% (6)
Somewhat agree	0.3% (1)
Neither agree nor disagree	1.3% (5)
Somewhat disagree	7.9% (30)
Strongly disagree	89.0% (339)

Does your setting provide or arrange for meals and food for participants while at the setting?

	Percent ( <i>n</i> )
Yes	35.6% (143)
No	64.4% (259)

When it comes to dining/food options, would you say that a typical individual has a lot of choice, some choice, or no choice at all?

	Percent ( <i>n</i> )
A lot of choice	22.4% (32)
Some choice	74.8% (107)
No choice at all	2.8% (4)

Please select whether the following occur all of the time, most of the time, some of the time, or never.

**There is more than one meal option during meal-times.**

	Percent ( <i>n</i> )
All of the time	35.7% (51)
Most of the time	25.2% (36)
Some of the time	27.3% (39)
Never	11.9% (17)

**Between designated meal-times, the setting provides other food or refreshments.**

	Percent ( <i>n</i> )
All of the time	60.8% (87)
Most of the time	14.0% (20)
Some of the time	18.9% (27)
Never	6.3% (9)

### *Personal Autonomy and Choice in Care Options*

The next set of questions deals with individual choice when it comes to their care and services provided.

First, we are interested in how often participants are asked about their needs and preferences.

Thinking about the average individual at your setting, were they asked about their goals and aspirations in the past 12 months?

	Percent ( <i>n</i> )
Yes	97.1% (368)
No	1.6% (6)
Don't know	1.3% (5)

How often, if at all, do participants make changes to their plan of care?

	Percent ( <i>n</i> )
Never	0.6% (2)
Annually	10.0% (36)
Semi-annually	16.7% (60)
Monthly	3.1% (11)
As needed/ requested	69.7% (251)

Please select whether the following occur all of the time, most of the time, some of the time, or never.

#### **Individual complaints are addressed in a timely manner.**

	Percent ( <i>n</i> )
All of the time	77.9% (299)
Most of the time	22.1% (85)
Some of the time	0% (0)
Never	0% (0)

#### **Participants make changes to their plan of care as needed.**

	Percent ( <i>n</i> )
All of the time	57.8% (222)
Most of the time	24.7% (95)
Some of the time	14.8% (57)
Never	2.6% (10)

#### **Participants with concerns, discuss the concerns with the setting staff.**

	Percent ( <i>n</i> )
All of the time	67.5% (258)
Most of the time	28.0% (107)
Some of the time	3.7% (14)
Never	0.8% (3)

**Participants provide input into their daily schedules.**

	Percent ( <i>n</i> )
All of the time	45.8% (175)
Most of the time	35.9% (137)
Some of the time	17.3% (66)
Never	1.0% (4)

**Staff members do NOT discuss participants with other staff members in public spaces.**

	Percent ( <i>n</i> )
All of the time	71.9% (274)
Most of the time	18.9% (72)
Some of the time	2.1% (8)
Never	7.1% (27)

**When an individual files a complaint, it is considered confidential.**

	Percent ( <i>n</i> )
All of the time	92.4% (355)
Most of the time	7.0% (27)
Some of the time	0.3% (1)
Never	0.3% (1)

**When needed, participants know how to request a new/additional service.**

	Percent ( <i>n</i> )
All of the time	39.4% (151)
Most of the time	42.8% (164)
Some of the time	16.4% (63)
Never	1.3% (5)

**Participants have the opportunity to express their level of satisfaction with the services they are receiving.**

	Percent ( <i>n</i> )
All of the time	89.7% (341)
Most of the time	7.9% (30)
Some of the time	2.4% (9)
Never	0% (0)

How much, if at all, do you agree with the following statements about your setting? Do you strongly agree, somewhat agree, neither agree nor disagree, somewhat disagree, or strongly disagree?

**Participants do NOT feel comfortable expressing concerns regarding their care.**

	Percent ( <i>n</i> )
Strongly agree	1.0% (4)
Somewhat agree	1.3% (5)
Neither agree nor disagree	3.9% (15)
Somewhat disagree	16.4% (63)
Strongly disagree	77.9% (297)

**Participants do NOT know how make changes to their plans of care.**

	Percent ( <i>n</i> )
Strongly agree	0.8% (3)
Somewhat agree	10.8% (41)
Neither agree nor disagree	11.3% (43)
Somewhat disagree	32.5% (124)
Strongly disagree	44.6% (170)

**Information on how to file a complaint is easily accessible to participants.**

	Percent ( <i>n</i> )
Strongly agree	68.7% (263)
Somewhat agree	18.3% (70)
Neither agree nor disagree	5.5% (21)
Somewhat disagree	2.1% (8)
Strongly disagree	5.5% (21)

**Participants do NOT have a choice of which provider staff delivers care/support.**

	Percent ( <i>n</i> )
Strongly agree	4.5% (17)
Somewhat agree	22.0% (84)
Neither agree nor disagree	13.6% (52)
Somewhat disagree	25.9% (99)
Strongly disagree	34.0% (130)

**Individual requests regarding their care are forwarded to independent/non-setting based case manager.**

	Percent ( <i>n</i> )
Strongly agree	40.6% (155)
Somewhat agree	24.3% (93)
Neither agree nor disagree	12.8% (49)
Somewhat disagree	8.4% (32)
Strongly disagree	13.9% (53)

**Schedules for PT, OT, medication, diet, or other care options are posted in common areas (i.e., hallways).**

	Percent ( <i>n</i> )
Strongly agree	7.3% (28)
Somewhat agree	6.8% (26)
Neither agree nor disagree	14.4% (55)
Somewhat disagree	8.1% (31)
Strongly disagree	63.3% (241)

**Appendix D****PUBLIC NOTICE**

Statute requiring agency to publish information concerning proposed changes in methods and standards for establishing medical assistance payment rates for medical services in the Illinois Register: 5 ILCS 100/5-70(c)

Summary of information: Home and Community-Based Services (HCBS) Settings Draft Transition Plan Illinois Department of Healthcare and Family Service:

The Illinois Department of Healthcare and Family Services (HFS) gives notice that the DRAFT Statewide Transition Plan, required by the Centers for Medicaid and Medicare Services (CMS) Home and Community-Based Services (HCBS) Rule 42 CFR 441.301(c)(iii), will be available for public review and comment for a period of 30 days beginning on 01/15/2015 and ending on 02/15/2015. HFS is required to submit the final Statewide Transition Plan to CMS no later than 03/17/2015. The Department of Health and Human Services' Centers for Medicare and Medicaid Services (CMS) published regulations in the Federal Register (42 CFR 441.301(c) (4)-(5)) on January 16, 2014, effective March 17, 2014, which further clarifies the definition of home and community-based services (HCBS) residential and non-residential settings for section 1915(c) Medicaid Waivers and approved state plans providing HCBS under section 1915(i). The new rules require states to develop a Statewide Transition Plan identifying the strategies for compliance with the new regulations and allowing up to five years for full compliance.

The DRAFT Statewide Transition Plan covers all nine HCBS waivers and is expected to detail the level of current compliance and the actions the state will take to achieve compliance with the HCBS Setting requirements. Once posted, the DRAFT Statewide Transition Plan can be viewed at the website of the Illinois Department of Healthcare and Family Services (HFS), Medical Programs, Home and Community Based Waiver Programs; <http://www2.illinois.gov/hfs/MedicalPrograms/HCBS/Pages/default.aspx>. Comments may be submitted on this site. Persons who are unable to access the Internet may request a hard copy of the DRAFT Plan by calling HFS at (217) 557-1868.

Name and address of person to contact concerning this information:

The Illinois Department of Healthcare and Family Services  
Attn: Waiver Management  
201 South Grand Ave East, 2<sup>nd</sup> FL  
Springfield, IL 62763

Public Forums have been scheduled across the state. At these forums, the public will have the opportunity to provide verbal and written comment. A request is made that comments be submitted in written form, as well as voiced, in order to guarantee that they are recorded correctly. Persons who are unable to attend a Public Forum or submit comments using the Internet, may phone in their comments by calling HFS at (217) 557-1868 or mail written feedback to the address listed above.

Public comments are requested from 01/15/2015 through 02/15/2015. Public comments will be summarized and included in the revised Statewide Transition Plan. The public is encouraged to attend one of the forums listed below.

<b>PUBLIC FORUM SCHEDULE</b>		
Thursday January 29, 2015	Parkland College RoomW-115 2400 West Bradley Ave Champaign, IL 61821	10:30am – Noon
Thursday January 29, 2015	EP!C 1913 West Townline Rd Peoria, IL 61612	3:00pm – 4:30pm
Tuesday February 3, 2015	Spring Ridge Senior Housing Community Room 6645 Fincham Dr Rockford, IL 61108	1:30pm – 3:00pm
Wednesday February 4, 2015	University of Illinois-Chicago Disability, Health & Social Policy Building Auditorium, Room 166 1640 West Roosevelt Rd Chicago, IL 60608	10:30am – Noon
Wednesday February 4, 2015	The ARC 20901 LaGrange Rd, Suite 209 Frankfort, IL 60423	2:00pm – 3:30pm
Tuesday February 10, 2015	Rend Lake College Student Center – Private Dining Area 468 North Ken Gray Parkway Ina, IL 62846	1:00pm – 2:30pm

**Appendix E****SECOND PUBLIC NOTICE**

Home and Community-Based Services (HCBS) Settings Draft Transition Plan  
Illinois Department of Healthcare and Family Service

The Illinois Department of Healthcare and Family Services (HFS) published a [public notice](#) in the Illinois Register that indicated the DRAFT Statewide Transition Plan, required by the Centers for Medicaid and Medicare Services (CMS) Home and Community-Based Services (HCBS) Rule 42 CFR 441.301(c)(iii), would be available for public review and comment for a period of 30 days beginning on 01/15/2015 and ending on 02/15/2015. The DRAFT Statewide Transition Plan was not made available for public review until 01/23/2015, therefore the public review and comment period has been extended and will end on 02/24/2015. HFS is required to submit the final Statewide Transition Plan to CMS no later than 03/17/2015. The Department of Health and Human Services' Centers for Medicare and Medicaid Services (CMS) published regulations in the Federal Register (42 CFR 441.301(c) (4)-(5)) on January 16, 2014, effective March 17, 2014, which further clarifies the definition of home and community-based services (HCBS) residential and non-residential settings for section 1915(c) Medicaid Waivers and approved state plans providing HCBS under section 1915(i). The new rules require states to develop a Statewide Transition Plan identifying the strategies for compliance with the new regulations and allowing up to five (5) years for full compliance.

The DRAFT Statewide Transition Plan covers all nine (9) HCBS waivers and is expected to detail the level of current compliance and the actions the state will take to achieve compliance with the HCBS Setting requirements. Once posted, the DRAFT Statewide Transition Plan can be viewed at the website of the Illinois Department of Healthcare and Family Services (HFS), Medical Programs, Home and Community Based Waiver Programs; <http://www2.illinois.gov/hfs/MedicalPrograms/HCBS/Pages/default.aspx>. Comments may be submitted on this site. Persons who are unable to access the Internet may request a hard copy of the DRAFT Plan by calling HFS at (217) 557-1868.

Public Forums have been scheduled across the state. At these forums, the public will have the opportunity to provide verbal and written comment. A request is made that comments be submitted in written form, as well as voiced, in order to guarantee that they are recorded correctly. Persons who are unable to attend a Public Forum or submit comments using the Internet, may phone in their comments by calling HFS at (217) 557-1868 or mail written feedback to:

The Illinois Department of Healthcare and Family Services  
Attn: Waiver Management  
201 South Grand Ave East, 2<sup>nd</sup> FL  
Springfield, IL 62763

Public comments are requested from 01/23/2015 through 02/24/2015. Public comments will be summarized and included in the revised Statewide Transition Plan. The public is encouraged to attend one of the forums listed below.

<b>PUBLIC FORUM SCHEDULE</b>		
Thursday January 29, 2015	Parkland College Room W-115 2400 West Bradley Ave Champaign, IL 61821	10:30am – Noon
Thursday January 29, 2015	EP!C 1913 West Townline Rd Peoria, IL 61612	3:00pm – 4:30pm
Tuesday February 3, 2015	Spring Ridge Senior Housing Community Room 6645 Fincham Dr Rockford, IL 61108	1:30pm – 3:00pm
Wednesday February 4, 2015	University of Illinois-Chicago Disability, Health & Social Policy Building Auditorium, Room 166	10:30am – Noon

	1640 West Roosevelt Rd Chicago, IL 60608	
Wednesday February 4, 2015	The ARC 20901 LaGrange Rd, Suite 209 Frankfort, IL 60423	2:00pm – 3:30pm
Tuesday February 10, 2015	Rend Lake College Student Center – Private Dining Area 468 North Ken Gray Parkway Ina, IL 62846	1:00pm – 2:30pm

## Appendix F

## FLYER

**New Medicaid Rules Apply to Home & Community Based Waiver Settings**

The State of Illinois operates nine HCBS waivers.

- Adults with Developmental Disabilities Waiver
- Children and Young Adults with Developmental Disabilities Residential Waiver
- Children and Young Adults with Developmental Disabilities Support Waiver
- Children that are Technology Dependent/Medically Fragile Waiver
- Persons with Disabilities Waiver
- Persons with Brain Injury Waiver
- Persons who are Elderly
- Persons with HIV or AIDS
- Supportive Living Facilities

Illinois is required by the federal Centers for Medicaid & Medicare Services (CMS) to submit a Statewide Transition Plan indicating how we will comply with the new rules. A major component of the Statewide Plan is obtaining feedback from stakeholders. Public comments are requested for 30 days upon release of the Draft Statewide Transition Plan. Once posted, you can view Illinois' DRAFT Transition Plan as well as links to the new CMS rules and additional CMS guidance at:

<http://www2.illinois.gov/hfs/MedicalPrograms/HCBS/Transition/Pages/default.aspx>. Comments can be submitted directly through the website. Persons without Internet access can call HFS at (217) 557-1868 to request a hardcopy.

**The State of Illinois requests your input on the DRAFT Statewide Transition Plan****Regional Public Listening Forums:**

The State has scheduled Regional Public Listening Forums across the state where the public will have the opportunity to provide verbal and written comment. Comments should be submitted in written form, as well as voiced, in order to guarantee that they are recorded correctly. Persons who are unable to attend a Public Listening Forum or submit comments using the Internet, may phone in their comments by calling HFS at (217) 557-1868 or mail written feedback to: Illinois Department of Healthcare and Family Services, Attn: Waiver Management, 201 South Grand Ave East, 2<sup>nd</sup> FL, Springfield, IL 62763

The public is encouraged to attend one of the Public Listening Forums listed below.

Thursday, January 29, 2015 10:30am – Noon	Parkland College	Room W-115, 2400 West Bradley Ave Champaign, IL 61821
Thursday, January 29, 2015 3:00pm – 4:30pm	EPIC	1913 West Townline Rd Peoria, IL 61612
Tuesday, February 03, 2015 1:30pm – 3:00pm	Spring Ridge Senior Housing	Community Room, 6645 Fincham Dr Rockford, IL 61108
Wednesday, February 04, 2015 10:30am – Noon	University of Illinois - Chicago	Disability, Health & Social Policy Building Auditorium, Room 166, 1640 West Roosevelt Rd Chicago, IL 60608
Wednesday, February 04, 2015 2:00pm – 3:30pm	The ARC	20901 LaGrange Rd, Suite 209 Frankfort, IL 60423
Tuesday, February 10, 2015 1:00pm – 2:30pm	Rend Lake College	Student Center – Private Dining Area 468 North Ken Gray Parkway Ina, IL 62846

**Webinar: New Medicaid Waiver Rules Draft Statewide Transition Plan Listening Webinar**

**Wednesday, February 11, 2015**

**9:00 am to 10:00 am**

**Register at:**

<https://attendee.gotowebinar.com/register/6935166657459007233>

## Appendix G

## Action Steps to Bring Illinois into Compliance

Chart of Action Steps and Timetable to Bring Illinois into Compliance				
	Action Item	Strategy	Initial Start Date	Projected End Date
1	<b>Initial Transition Plan Development</b>	The State holds a series of meetings with internal stakeholders to present new federal Medicaid regulations which apply to all HCBS programs, including all 1915 c waivers, and to solicit input on the development of the Statewide Transition Plan.	4/1/2014	3/16/2015
2	<b>Assessment of Settings</b>	State engages University of Illinois at Springfield (UIS) to assist with the development of two surveys -- Residential and Non-Residential Settings -- and to develop an implementation plan that includes the methodology for surveying all HCBS settings in order to gather basis information which will be used to inform the compliance status with the new requirements.	8/1/2014	1/15/2015
	Survey of HCBS Residential Settings	The Residential Survey consists of two surveys: one which is agency-specific and another which is setting-specific. Surveys are mailed, completed, submitted to UIS.	10/5/2014	12/15/14
	Survey of HCBS Non-Residential Settings	The Non-Residential Survey consists of two surveys: one which is agency-specific and another which is setting-specific. Surveys are mailed, completed, submitted to UIS.	11/1/2014	1/15/2015
	Individual site reviews to validate survey results	UIS will assist the State in stratifying the survey results into categories reflecting likely compliance status. The State will validate the survey results via on-site visits to a sampling of sites in each of the categories.	3/17/2015	9/15/2016
	Individual consumer interviews at sites	Where possible, small on-site focus groups will be held to complete structured conversations re: choice, community integration, impact of new rule on participant lives; also, individual interviews with participants on-site will take place.	3/17/2015	9/15/2016
	Settings Analysis	Analysis of survey results; areas needing to be addressed in order to comply with new rule will be identified	11/1/2014	2/15/2015

	Site validation visits and analysis of compliance with HCBS settings in order to make recommendations	<p>Notify setting of site validation visit to be scheduled throughout first year</p> <ul style="list-style-type: none"> <li>• Administer a participant survey to be distributed to site/setting participants and/or their representative;</li> <li>• Conduct a focus group or series of focus groups depending on the size of the site/setting with participants and/or their representatives;</li> <li>• Conduct meetings with key staff at the site/setting to review the self-administered survey, internal policies and procedures and documentation of community integration;</li> <li>• Conduct sample file reviews looking at individual participant's Plans of Care.</li> </ul>	3/17/2015	9/15/2016 (goal to complete site/setting visits)
3	<b>Assessment of Infrastructure</b>			
	Legal and program staff review of current administrative rules/statutes/waiver definitions	Review of current residential agreements, including State, provider and specific site policies, rules and procedures relating to employment and day services for non-residential settings.	6/1/2014	12/31/2016
	Review of current State and setting forms, program policies and procedures	Review language used; evidence of choice; service options; employment preparation/assistance; identify materials needing remediation.	3/17/2015	9/15/2016

4	<b>Communication/Public Input</b>			
	Public notices informing participants of rule, website, welcoming input, providing schedule of upcoming public events, Phone/USPS Mail	Notices are to be distributed through email to providers and advocacy groups who will be asked to further distribute this information to their participants/members; Notices will also be published on the HFS website as well as the Illinois Register, if applicable; Phone number and USPS mailing address will be provided to receive requests for hard copies of the Transition Plan as well as to receive comments.	1/15/2015	Ongoing
	Website	Transition Plan DRAFT will be posted on the state's HFS website; comment box is provided on website for comments and questions; dates and locations of public forums will be listed on website; public comments will be posted to the website; the website will also list general guidance to be offered to providers re: compliance.	1/15/2015	Ongoing
	Public and Stakeholder Educational Forums/Listening and Feedback Sessions	Six public forums are to be held at geographically diverse, accessible locations across the state.	1/15/2014	2/15/2015
	Webinars	Two webinars will be held: one primarily for providers/provider organizations and one primarily for participants and their families/guardians/representatives.	1/15/2015	2/15/2015
	Written materials: DRAFT Transition Plan and Survey summaries	Copies will be provided to regional CMS Project Officer.	1/16/2015	1/16/2015
	Revisions to the Transition Plan	Based on public comment via the website, forums, and mailed responses, as appropriate, the Transition Plan will be revised; a summary document of all public submitted comments will be attached to the Plan submitted to CMS.	1/15/2015	3/16/2015

5	<b>Remediation Strategies</b>			
	Required modifications to existing administrative rules/statutes/waiver definitions ( <i>Specific Rule/Statutes may be found in Appendix A</i> )	Identify required modifications to each administrative rule, statute and waiver definition;; Obtain legal approval; Implement modification. Some of these changes may require legislative action and/or waiver amendment.	1/1/2016	7/1/2018
	Required modifications to existing provider forms and agreements	Review and develop recommendations for language changes and drafts of new forms and agreements; Obtain legal approval; Implement modification.	1/1/2016	7/1/2018
	Required modifications and/or creation of new resident forms/agreements	Development and implementation of new resident agreements, where needed, to comport with residential settings rules. This also includes the development and implementation of State and site policies and procedures relating to employment and day services in non-residential settings.	1/1/2016	7/1/18
	Training	Training will be provided to care coordinators, service coordinators, residential staff, and credentialing and protective service staff on changes to policies and procedures due to the HCBS rules. Among the topics to be covered are: individual rights, informed choices, person-centered planning, protections, community inclusion, and working with high-risk individuals.	1/15/2015	On-going
		Training/education will also be provided for participants and families regarding compliance with the new rule and changes that may be made to their HCBS settings.		



	Individual site/setting assessment findings	Notices are to be sent to providers who are not in compliance or presumed not to be in compliance. Explanation is to be provided as to why their settings do not meet the criteria outlined in the new rule, the actions needed and the timeframes for the settings to become compliant.	3/17/2016 (goal to complete site/setting visits)	9/17/2016
	Evaluate and make recommendation re. site/setting's compliance with HCBS settings - including heightened scrutiny  (Process defined above in "Site validation visits and analysis of compliance with HCBS settings in order to make recommendations)	<p>Sites which appear to be out of compliance with the requirements of the regulation:</p> <ul style="list-style-type: none"> <li>• those adjacent to, or on the grounds of, public institutions;</li> <li>• those located in a facility which provides inpatient treatment; and</li> <li>• those which seem not to provide the opportunity for participants to receive services in the most integrated community settings</li> </ul> <p>Determinations will be made on a case-by-case basis. Additional information may be provided by the site and a site visit will take place. Materials will be presented to CMS.</p>	3/17/2016	9/17/2016 (finalize recommendations for heightened scrutiny)
	Provider sanctions and disenrollment	State will de-certify and/or sanction providers who have failed to complete their remediation plans or have failed to be cooperative with the transition of the HCBS settings.	1/1/2018	On-going

	Individual participant transitions	If necessary, the State will work with individual providers to develop transition plans for participants residing or participating in non-compliant settings. Transitions will occur only after all options have been exhausted. Care coordinators, program staff and other individuals involved in the participants' care will join in the decision-making regarding an alternative residence or service location. State will ensure that all participants have a safe transition plan before any relocation or transition occurs.	1/1/2018	3/17/19
6	<b>Ongoing Compliance</b>			
		Activities which may be components of maintaining ongoing compliance with the new rule will include:		
		<ul style="list-style-type: none"> <li>an annual review of the participant's person-centered plan, during which feedback will be sought from the participant and the participant's family or guardian regarding the access to community activities, choice of accommodations, roommates, and services. In addition, the annual review should validate the inclusion of participant goals and satisfaction with services.</li> </ul>	1/1/2018	On-going
		<ul style="list-style-type: none"> <li>onsite inspections/audits which include collection of data re: factors described in the new rule (choice, options, community integration);</li> </ul>	1/1/2018	On-going
		<ul style="list-style-type: none"> <li>implementation of the Quality Assurance Plan for each waiver, described in Appendix H of each waiver and modified as necessary to incorporate rules</li> </ul>	1/1/2018	On-going
		<ul style="list-style-type: none"> <li>QA monitoring of Assurances and Performance Measures;</li> </ul>	1/1/2018	On-going
		<ul style="list-style-type: none"> <li>The HFS website will remain active and its comment box will remain available to those in the community who would like to file complaints or make comments about the policies and procedures at particular settings that appear non-compliant with rule requirements.</li> </ul>	1/15/2015	On-going

		<ul style="list-style-type: none"><li>• Sites found to be out of compliance during any routine assessments will be required to complete a corrective action plan.</li></ul>	1/1/2017	On-going
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## Appendix H -- Summary of Public Comment

Com- ment #	Site	Type	Commenter	Theme	Theme Code	Key Comment	Medicaid Setting Rule to Which Comment Applies	Action/Revision to Implementation Plan
1	Peoria	Written	Adult Day Service Provider	Provider reimbursement rates may be barriers to compliance with portions of the CMS regulations	10	"Because of the low reimbursement rate for adult day services in Illinois, most adult day centers are operated by a parent organization and use of a part of another institution's space allows centers to stay open . . . " " . . . Financial and time constraints prevent clients from having a wide choice of foods and dining times for a noon meal."	42 CFR 430 Chapter VII, Section 202 of the Unfunded Mandates Reform Act of 1195 (March 22, 1995, Pub, L. 104-4) and Federal Register Vol. 79 No. 11 Part II, first column, second comment and CMS response.	The State recognizes the relationship between reimbursement and the provider's willingness and ability to provide additional service options as envisioned by the regulations. The State intends to comply with the Transition Plan, recognizing reimbursement may need to be addressed on a separate track. State reimbursement for services is subject to the appropriations of our General Assembly.
				Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	" . . . Many centers, particularly in the Chicago area, are also culturally sensitive . . . Services in the language and culture of the countries of origin . . . " "Because all Illinois adult day centers serve persons with dementia, our centers do restrict freely leaving."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
2	Peoria	Written	Adult Day Service Provider	Provider reimbursement rates may be barriers to compliance with portions of the CMS regulations	10	"Because of the low reimbursement rate for adult day services in Illinois, most adult day centers are operated by a parent organization and use of a part of another institution's space allows centers to stay open . . . " " . . . Financial and time constraints prevent clients from having a wide choice of foods and dining times for a noon meal."	42 CFR 430 Chapter VII, Section 202 of the Unfunded Mandates Reform Act of 1195 (March 22, 1995, Pub, L. 104-4) and Federal Register Vol. 79 No. 11 Part II, first column, second comment and CMS response.	The State recognizes the relationship between reimbursement and the provider's willingness and ability to provide additional service options as envisioned by the regulations. The State intends to comply with the Transition Plan, recognizing reimbursement may need to be addressed on a separate track. State reimbursement for services is subject to the appropriations of our General Assembly.

				<b>Rules may not recognize the value of a particular setting in terms of impact and support to specific populations</b>	<b>11</b>	" . . . Many centers, particularly in the Chicago area, are also culturally sensitive . . . Services in the language and culture of the countries of origin . . . " "Because all Illinois adult day centers serve persons with dementia, our centers do restrict freely leaving."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
<b>3</b>	<b>Champaign</b>	<b>Written</b>	<b>Adult Day Service Provider</b>	<b>Provider reimbursement rates may be barriers to compliance with portions of the CMS regulations</b>	<b>10</b>	"Because of the low reimbursement rate for adult day services in Illinois, most adult day centers are operated by a parent organization and use of a part of another institution's space allows centers to stay open . . . " " . . . Financial and time constraints prevent clients from having a wide choice of foods and dining times for a noon meal."	42 CFR 430 Chapter VII, Section 202 of the Unfunded Mandates Reform Act of 1195 (March 22, 1995, Pub. L. 104-4) and Federal Register Vol. 79 No. 11 Part II, first column, second comment and CMS response.	The State recognizes the relationship between reimbursement and the provider's willingness and ability to provide additional service options as envisioned by the regulations. The State intends to comply with the Transition Plan, recognizing reimbursement may need to be addressed on a separate track. State reimbursement for services is subject to the appropriations of our General Assembly.
				<b>Rules may not recognize the value of a particular setting in terms of impact and support to specific populations</b>	<b>11</b>	" . . . Many centers, particularly in the Chicago area, are also culturally sensitive . . . Services in the language and culture of the countries of origin . . . " "Because all Illinois adult day centers serve persons with dementia, our centers do restrict freely leaving."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
<b>4</b>	<b>Champaign</b>	<b>Written</b>	<b>CIL Provider</b>	<b>Current Service Options/Definitions need to be reviewed and/or expanded under existing HCBS waivers and align with CMS regulations</b>	<b>4</b>	" We hope waiver programs do continue to represent the best of services for people with disabilities and inclusion . . . "	441.304(d) - (f)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available and the definitions of these services comport with the rules. Language in the Transition Plan has been added or modified to reflect these strategies.

5	Champaign	Written	AAA Director	Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	" . . . the needs and wants and preferences of older adults who would be utilizing an adult day center, but also the needs of the family caregivers because the adult day center are really extension of the family caregiver's experience . . . " " . . . How such a facility is perceived by the community when it makes its decision."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
6	Champaign	Written	Parent of a DD Participant	Current Service Options/Definitions need to be reviewed and/or expanded under existing HCBS waivers and align with CMS regulations	4	" . . . A lot of CILAs will require that you use their Day Program which would not be satisfactory . . not wanting to lose all of his pay to an agency." " . . . transportation here, but that is really the biggest problem."	441.304(d) - (f)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available and the definitions of these services comport with the rules. Language in the Transition Plan has been added or modified to reflect these strategies.
7	Champaign	Written	Provider Association	Provider reimbursement rates may be barriers to compliance with portions of the CMS regulations	10	"The reimbursement rate for adult day services is such that there are not adult day service chains with the exception of . . . ."	42 CFR 430 Chapter VII, Section 202 of the Unfunded Mandates Reform Act of 1195 (March 22, 1995, Pub, L. 104-4) and Federal Register Vol. 79 No. 11 Part II, first column, second comment and CMS response.	The State recognizes the relationship between reimbursement and the provider's willingness and ability to provide additional service options as envisioned by the regulations. The State intends to comply with the Transition Plan, recognizing reimbursement may need to be addressed on a separate track. State reimbursement for services is subject to the appropriations of our General Assembly.
				Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	"We also have a number of ethnic centers in Illinois and the people in the ethnic centers are often elderly who came here to be with their children . . . "" . . If the standard were based just on geography, it would result in the tragic loss of adult day services for many people . . " " . . . We also have a number of ethnic centers . . Often elderly people who came here to be with their children . . "	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.

8	Champaign	Written	Provider Association	Process needs to be more defined regarding review of state statutes, policies and procedures to ensure compliance	7	"...it's really about looking at all of the current rules and deciding which ones need changes. One would be... Licensing for CILAs... Look towards integration... There's the interpretation of the rules which maybe where some of the challenges come. Often by the way people interpret DSP direct service provider requirements..."	441.304(d) - (f)	State will utilize existing stakeholder groups to help review state statutes, policies and procedures to ensure compliance. Language in the Transition Plan has been added or modified to reflect these strategies.
				Process needs to be strengthened in State oversight of HCBS Providers to ensure compliance	9	"... Bureau of Quality Management... Tend to look at things that are paperwork oriented as opposed to integration oriented..."	441.302	Over the next four years, all new and renewed waivers will be reviewed with a sensitivity to assure waiver assurances and performance measures comport with the HCBS rules. Language in the Transition Plan has been added or modified to reflect these strategies.
				Process needs to be strengthened in relationship to self-administered provider surveys and inclusion of participants and their Plans of Care	8	"I would love to see a requirement of input of self-advocates and family members in these rules changes just because it is the right thing to do."	441.304(d) - (f)	State intends to establish consumer focus groups during validation site visits. State plans to establish three levels of validation of provider survey results including visiting providers that demonstrated a high level of compliance. Validation site visits will be conducted by an independent third party. Language in the Transition Plan has been added or modified to reflect these strategies.
9	Champaign	Oral	CILA Provider	Timeframes identified in Statewide Transition Plan may not be realistic.	13	"I don't think your timeline going to be within the time that we've been asking because we're constantly told it takes a long time to change these rules."	441.301(c)(6)(B)	State plans to work with legal and policy representatives that represent all nine (9) of the HCBS Waivers to ensure process moves forward at a timely pace. Timeframes indicated in Transition Plan will continuously be reviewed.
10	Champaign	Oral	Adult Day Service Provider	Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	"... We have always been associated with the nursing home. We have had a separate entrances." "(many examples re. value of program) "We stayed open on Black Friday and they were ecstatic that they go to go shopping."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.

11	Champaign	Oral	DD Provider	Current Service Options need to be reviewed and/or expanded under existing HCBS waivers and align with CMS regulations	4	" . . . Some of the work has already been done related to the 1115 would be of value . . . Fixing the 2 hour hold/24 hour CILA will end, unbundling transportation."	441.304(d) - (f)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available and the definitions of these services comport with the rules. Language in the Transition Plan has been added or modified to reflect these strategies.
				Assurance of available service options to enable participant choice and integration in the greater community	1	" . . . Quite a bit of work has been done by DHS-DD looking at the CFCM . . . we really need to have a functional CFCM system in Illinois."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
12	Champaign	Oral	Parent of a DD Participant	Assurance of available service options to enable participant choice and access to the greater community	1	" . . . So what the focus needs to be on is how that agency is supporting access for that individual. . . . So I think we are talking about a person with a disability having choice in who's providing those services and supports. . . . Rules really do prohibit for day Programs . . . from doing anything that is community based . . . we want them to go out and have a job or job shadow, volunteer . . . "	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
13	Champaign	Oral	Parent of a DD Participant	General comment or question regarding HCBS settings rules and need to be addressed through continuing education	6	"How does this impact SODC's?"	441.730(c )	Continued education is needed at all levels of Transition Plan implementation and will be a key component as we include stakeholders in review of state statutes, policies and procedures and at site visits. Language in the Transition Plan has been added or modified to reflect these strategies.
14	Peoria	Oral	AAA Director	Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	" . . . We have an adult day care in a hospital"	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.

15	Peoria	Oral	Provider Association	Comments or questions in support of the HCBS Settings Rules	2	"We are pleased with the outcome based evidence that we're seeing in the Transition Plan."	N/A	No action to be taken.
				Provider reimbursement rates may be barriers to compliance with portions of the CMS regulations	10	"... Many ADS are trying to stay in business and it is a lot tougher. . . Many campuses are with our parent organizations or with other organizations to keep our costs at a minimum. . . "	42 CFR 430 Chapter VII, Section 202 of the Unfunded Mandates Reform Act of 1995 (March 22, 1995, Pub. L. 104-4) and Federal Register Vol. 79 No. 11 Part II, first column, second comment and CMS response.	The State recognizes the relationship between reimbursement and the provider's willingness and ability to provide additional service options as envisioned by the regulations. The State intends to comply with the Transition Plan, recognizing reimbursement may need to be addressed on a separate track. State reimbursement for services is subject to the appropriations of our General Assembly.
				Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	"... Most of our clients that come to the ADS . . Have some sort of dementia."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
16	Peoria	Oral	Parent of a DD Participant	General comment or concern about the quality of a program and/or choice options	5	"... There needs to be a program within the state programs to encourage the ability to get out and to actually be employed as opposed to doing maid work or just being occupied by just sitting in a chair."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
17	Peoria	Oral	Parent of a DD Participant	Comments or questions regarding issues not related to Transition Plan	3	Raised many concerns relating to confidentiality at a SODC, enrollment in managed care.	N/A	These represent questions or comments that do not appear to relate to HCBS settings rules and are not being addressed in the Transition Plan.

				<b>General comment or concern about the quality of a program and/or choice options</b>	5	Concern relating to Transition Plan dealt with day habilitation activities . . . "Activities need to have purpose and value."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
18	UIC	Written	Academic	<b>Current Service Options need to be reviewed and/or expanded under existing HCBS waivers and align with CMS regulations</b>	4	. . . Importance of the state supporting integrated behavioral health/mental health services in the community for people with intellectual and developmental disabilities."	441.304(d) - (f)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available and the definitions of these services comport with the rules. Language in the Transition Plan has been added or modified to reflect these strategies.
19	UIC	Written	Adult Day Service Provider	<b>Provider reimbursement rates may be barriers to compliance with portions of the CMS regulations</b>	10	"Because of the low reimbursement rate for adult day services in Illinois, most adult day centers are operated by a parent organization and use of a part of another institution's space allows centers to stay open . . . " " . . . Financial and time constraints prevent clients from having a wide choice of foods and dining times for a noon meal."	42 CFR 430 Chapter VII, Section 202 of the Unfunded Mandates Reform Act of 1195 (March 22, 1995, Pub, L. 104-4) and Federal Register Vol. 79 No. 11 Part II, first column, second comment and CMS response.	The State recognizes the relationship between reimbursement and the provider's willingness and ability to provide additional service options as envisioned by the regulations. The State intends to comply with the Transition Plan, recognizing reimbursement may need to be addressed on a separate track. State reimbursement for services is subject to the appropriations of our General Assembly.
				<b>Rules may not recognize the value of a particular setting in terms of impact and support to specific populations</b>	11	" . . . Many centers, particularly in the Chicago area, are also culturally sensitive . . . Services in the language and culture of the countries of origin . . . " "Because all Illinois adult day centers serve persons with dementia, our centers do restrict freely leaving."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
20	UIC	Written	Rehabilitation Provider	<b>Comments or questions in support of the HCBS Settings Rules</b>	2	" . . . Reflect a continuing commitment to the continuation of both supportive services and case management services for participants in the HCBS waivers."	N/A	No action to be taken.
				<b>Comments or questions regarding issues not related to Transition Plan</b>	3	"Lack of Notification of the change to Managed Care"	N/A	These represent questions or comments that do not appear to relate to HCBS settings rules and are not being addressed in the Transition Plan.

21	UIC	Written	CIL Provider	Assurance of available service options to enable participant choice and integration in the greater community	1	"PCP is a good sounding phrase unless there are provisions that guarantee that the consumer is listened to and his values, goals and desires are represented . . . Most people do not want to spend all their time at home, they need community and the community needs them.	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
				Comments or questions regarding issues not related to Transition Plan	3	". . . Managed care organizations need to understand the dignity of risk . . ."	N/A	These represent questions or comments that do not appear to relate to HCBS settings rules and are not being addressed in the Transition Plan.
				Current Service Options need to be reviewed and/or expanded under existing HCBS waivers and align with CMS regulations	4	"We support the continuation of the 1115 Waiver as it embraced many of these consents . . . Person Drive, Inclusive, Effective and Accountable, Coordinated and Transparent and Culturally Competent."	441.304(d) - (f)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available and the definitions of these services comport with the rules. Language in the Transition Plan has been added or modified to reflect these strategies.
				Provider reimbursement rates may be barriers to compliance with portions of the CMS regulations	10	"It is nearly impossible to have a well-functioning system of LTSS if there are Medicaid cuts . . . An attack on the quality of life . . . Survival of people who rely on these services."	42 CFR 430 Chapter VII, Section 202 of the Unfunded Mandates Reform Act of 1195 (March 22, 1995, Pub. L. 104-4) and Federal Register Vol. 79 No. 11 Part II, first column, second comment and CMS response.	The State recognizes the relationship between reimbursement and the provider's willingness and ability to provide additional service options as envisioned by the regulations. The State intends to comply with the Transition Plan, recognizing reimbursement may need to be addressed on a separate track. State reimbursement for services is subject to the appropriations of our General Assembly.
22	Number skipped							
23	E-mail	Written	Family of a DD Participant	Assurance of available service options to enable participant choice and integration in the greater community	1	"He has been on an Emergency list with PUNS for six years now . . ."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.

24	E-mail	Written	Parent of a DD Participant	Current Service Options/Definitions need to be reviewed and/or expanded under existing HCBS waivers and align with CMS regulations	4	"Looking for . . . Financial support to caregivers of disabled individuals."	441.304(d) - (f)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available and the definitions of these services comport with the rules. Language in the Transition Plan has been added or modified to reflect these strategies.
25	E-mail	Written	Adult Day Service Provider	Comments or questions regarding issues not related to Transition Plan	3	"It is not a good idea."	N/A	These represent questions or comments that do not appear to relate to HCBS settings rules and are not being addressed in the Transition Plan.
26	E-mail	Written	DD Transition Coordinator	General comment or question regarding HCBS settings rules and need to be addressed through continuing education	6	"Will State Operated Developmental Centers be required to complete the Statewide Transition Plan"	441.730(c)	Continued education is needed at all levels of Transition Plan implementation and will be a key component as we include stakeholders in review of state statutes, policies and procedures and at site visits. Language in the Transition Plan has been added or modified to reflect these strategies.
27	E-mail	Written	Unknown	Assurance of available service options to enable participant choice and integration in the greater community	1	"I hope that changes in the waiver help facilitate expansion of the program to include pulling more people off the state's PUNS waiting list."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
28	E-mail	Written	Parent of a DD Participant	Comments or questions regarding issues not related to Transition Plan	3	Several comments regarding the adequacy of SSI	N/A	These represent questions or comments that do not appear to relate to HCBS settings rules and are not being addressed in the Transition Plan.
29	E-mail	Written	Parent of a DD Participant	Current Service Options need to be reviewed and/or expanded under existing HCBS waivers and align with CMS regulations	4	Raised many concerns relating to "facilitating opportunities to seek employment in competitive settings, engage in community life . . . When neither the CILA agency nor the day program is not able to do this, due to lack of staff, funding." Question/Commented the definition of Person Centered Planning.	441.304(d) - (f)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available and the definitions of these services comport with the rules. Language in the Transition Plan has been added or modified to reflect these strategies.

30	E-mail	Written	DD Association and Parent of DD Participant	Current Service Options/Definitions need to be reviewed and/or expanded under existing HCBS waivers and align with CMS regulations	4	"Majority of family with young adults with significant disabilities in our state find themselves with extremely limited options in terms of finding integrated, community-base and individualized supports." "Sending her there would amount to a form of exile for a person who cannot travel or communicate without extensive supports."	441.304(d) - (f)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available and the definitions of these services comport with the rules. Language in the Transition Plan has been added or modified to reflect these strategies.
				General comment or question regarding HCBS settings rules and need to be addressed through continuing education	6	Provided detailed description of their participant/consumer's Plan of Care	441.730(c)	Continued education is needed at all levels of Transition Plan implementation and will be a key component as we include stakeholders in review of state statutes, policies and procedures and at site visits. Language in the Transition Plan has been added or modified to reflect these strategies.
31	E-mail	Written	Provider Association	Provider reimbursement rates may be barriers to compliance with portions of the CMS regulations	10	"Complete a cost analysis for the implementation of the proposed rule and the rule will be implemented only if the funding level approved by the legislature . . . "	42 CFR 430 Chapter VII, Section 202 of the Unfunded Mandates Reform Act of 1995 (March 22, 1995, Pub. L. 104-4) and Federal Register Vol. 79 No. 11 Part II, first column, second comment and CMS response.	The State recognizes the relationship between reimbursement and the provider's willingness and ability to provide additional service options as envisioned by the regulations. The State intends to comply with the Transition Plan, recognizing reimbursement may need to be addressed on a separate track. State reimbursement for services is subject to the appropriations of our General Assembly.
32	E-mail	Written	Advocate	Process needs to be strengthened in relationship to self-administered provider surveys and inclusion of participants	8	"Recipient of waiver services should be included in planned focus groups"	441.304(d) - (f)	State intends to establish consumer focus groups during validation site visits and review a sample of the participant's Plans of Care. State plans to establish three levels of validation of provider survey results including visiting providers that demonstrated a high level of compliance. Validation site visits will be conducted by an independent third party. Review of Plans of Care will aid in current and future development of Participant Plans of Care, but also may influence state statutes, policies and procedures. Language in the Transition Plan has been added or modified to reflect these strategies.

				<b>General comment or question regarding HCBS settings rules and need to be addressed through continuing education</b>	<b>6</b>	"... Provider settings surveys . . . should be sent to this e-mail address . . ."	441.730(c )	Over 1800 surveys were returned to UIS researchers; State never indicated that individual results would be shared. However, continued education is needed at all levels of Transition Plan implementation and will be a key component as we include stakeholders in review of state statutes, policies and procedures and at site visits. Language in the Transition Plan has been added or modified to reflect these strategies.
				<b>Process needs to be more defined regarding review of state statutes, policies and procedures to ensure compliance</b>	<b>7</b>	"Please mention how rules shared with waiver participants and family . . ."	441.304(d) - (f)	State will utilize existing stakeholder groups to help review state statutes, policies and procedures to ensure compliance. Language in the Transition Plan has been added or modified to reflect these strategies.
<b>33</b>	<b>E-mail</b>	<b>Written</b>	<b>Parent of a DD Participant</b>	<b>Provider reimbursement rates may be barriers to compliance with portions of the CMS regulations</b>	<b>10</b>	"It is no secret that Illinois has problems and most programs are underfunded ." Explains perceived difference between a program and a service. "Illinois could use better funding streams.	42 CFR 430 Chapter VII, Section 202 of the Unfunded Mandates Reform Act of 1195 (March 22, 1995, Pub. L. 104-4) and Federal Register Vol. 79 No. 11 Part II, first column, second comment and CMS response.	The state acknowledges the relationship of the reimbursement cost and ability to provide service. Funding is based upon budget allocations. With this in mind, the state intends to review existing HCBS Waiver service definitions to determine possible changes that could better align definitions with new CMS regulations. The state believes that many of the changes that will result from reviews can be done without additional funding. The state must comply with HCBS settings requirements and language in the Transition Plan has been added or modified to reflect these strategies.
				<b>Current Service Options need to be reviewed and/or expanded under existing HCBS waivers and align with CMS regulations</b>	<b>4</b>	"... The old way of funding day programs and housing has to become a thing of the past.	441.304(d) - (f)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available and the definitions of these services comport with the rules. Language in the Transition Plan has been added or modified to reflect these strategies.

34	E-mail	Written	DD Provider	Provider reimbursement rates may be barriers to compliance with portions of the CMS regulations	10	"The system is woefully underfunded. The transition plan needs to address how process and outcome oriented changes will be financially supported."	42 CFR 430 Chapter VII, Section 202 of the Unfunded Mandates Reform Act of 1195 (March 22, 1995, Pub, L. 104-4) and Federal Register Vol. 79 No. 11 Part II, first column, second comment and CMS response.	The State recognizes the relationship between reimbursement and the provider's willingness and ability to provide additional service options as envisioned by the regulations. The State intends to comply with the Transition Plan, recognizing reimbursement may need to be addressed on a separate track. State reimbursement for services is subject to the appropriations of our General Assembly.
				Specific concern that implementation of Transition Plan could add additional burden to provider and responsible parties	12	"Please do not add another layer of monitoring . . ."	42 CFR 430 Chapter VIII. Section 202 of the Unfunded Mandates Reform Act of 1195 (March 22, 1995, Pub, L. 104-4)	State will utilize existing stakeholder groups to help review state statutes, policies and procedures to ensure compliance. HCBS Rules are in effect and state is responsible for their implementation. Language in the Transition Plan has been added or modified to reflect these strategies.
35	E-mail	Written	Provider Association	Comments or questions in support of the HCBS Settings Rules	2	" . . . Positive results of the UIS survey, the landscape of residential and non-residential setting compliance in Illinois is encouraging."	N/A	No action to be taken.
				Process needs to be strengthened in relationship to self-administered provider surveys and inclusion of participants and their Plans of Care	8	" . . . Process and outcome-oriented change may be necessary after the same of site visits is completed ... individual experience rather than one based on a setting's location, geography or physical characteristics."	441.304(d) - (f)	State intends to establish consumer focus groups during validation site visits and review a sample of the participant's Plans of Care. State plans to establish three levels of validation of provider survey results including visiting providers that demonstrated a high level of compliance. Validation site visits will be conducted by an independent third party. Review of Plans of Care will aid in current and future development of Participant Plans of Care, but also may influence state statutes, policies and procedures. Language in the Transition Plan has been added or modified to reflect these strategies.

				<b>Provider reimbursement rates may be barriers to compliance with portions of the CMS regulations</b>	10	" . . . Substantial funding for the training of existing and additional staff . . . No financial provision for these federally required changes."	42 CFR 430 Chapter VII, Section 202 of the Unfunded Mandates Reform Act of 1195 (March 22, 1995, Pub, L. 104-4) and Federal Register Vol. 79 No. 11 Part II, first column, second comment and CMS response.	The State recognizes the relationship between reimbursement and the provider's willingness and ability to provide additional service options as envisioned by the regulations. The State intends to comply with the Transition Plan, recognizing reimbursement may need to be addressed on a separate track. State reimbursement for services is subject to the appropriations of our General Assembly.
				<b>Process needs to be strengthened in State oversight of HCBS Providers to ensure compliance</b>	9	" . . . Using existing governing/monitoring bodies that have established practices and community relationships will maximize efficiency and resources . . . " "Division of Developmental Disabilities in the transition is essential and should be outlined in the plan explicitly."	441.302	Over the next four years, all new and renewed waivers will be reviewed with a sensitivity to assure waiver assurances and performance measures comport with the HCBS rules. Language in the Transition Plan has been added or modified to reflect these strategies.
36	Telephone	Oral	Parent of a DD Participant	<b>General comment or concern about the quality of a program and/or choice options</b>	5	"He used to live in an 8 bed CILA, but he was a higher level than everybody else so he got no attention. . . .he was so bored, his behavior issues continued to worse."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
				<b>Assurance of available service options to enable participant choice and integration in the greater community</b>	1	"Why doesn't the government give the families some of the money so we can afford to take them places and do things with them?"	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.

37	Telephone	Oral	Provider	General comment or question regarding HCBS settings rules and need to be addressed through continuing education	6	"Do we have to allow overnight visitors whenever and for however long they want and to allow people to visit 24 hours a day?"	441.730(c)	Continued education is needed at all levels of Transition Plan implementation and will be a key component as we include stakeholders in review of state statutes, policies and procedures and at site visits. Language in the Transition Plan has been added or modified to reflect these strategies.
38	Frankfort	Written	Provider Association and Parent of DD Participant	Assurance of available service options to enable participant choice and integration in the greater community	1	" . . . There will need to be much broader access to community-based options that are approved for funding . . . HCBS currently provides very limited options for use of funding in the community . . . True integrated activities must be funded. . . "	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
39	E-mail	Written	Provider Association	Assurance of available service options to enable participant choice and integration in the greater community	1	" . . . New definitions for consideration as an amendment to the Adult Home and Community-Based Waiver that will move IL towards compliance. They are: Individual and Residential Support Services and Supported, Individual and Customized Employment Services."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
				Comments or questions regarding issues not related to Transition Plan	3	"Ticket to Work Outcome and Milestone payments from SSA do not conflict with CMS regulatory requirements and do not constitute an overpayment of federal dollars for services provided since payments are made for an outcome, rather than for a Medicaid service rendered." List of service limitations included	N/A	No action to be taken.

40	Ina	Written	Parent of a DD Participant	Process needs to be strengthened in relationship to self-administered provider surveys and inclusion of participants and their Plans of Care	8	"I wish the Plan would equally emphasize consumer and family surveys as part of the data collection process."	441.304(d) - (f)	State intends to establish consumer focus groups during validation site visits and review a sample of the participant's Plans of Care. State plans to establish three levels of validation of provider survey results including visiting providers that demonstrated a high level of compliance. Validation site visits will be conducted by an independent third party. Review of Plans of Care will aid in current and future development of Participant Plans of Care, but also may influence state statutes, policies and procedures. Language in the Transition Plan has been added or modified to reflect these strategies.
				Current Service Options/Definitions need to be reviewed and/or expanded under existing HCBS waivers and align with CMS regulations	4	"It is important not to the term Person Centered Planning to become simply jargon."	441.304(d) - (f)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available and the definitions of these services comport with the rules. Language in the Transition Plan has been added or modified to reflect these strategies.
				Assurance of available service options to enable participant choice and integration in the greater community	1	"I encourage you to revisit the community engagement and transportation opportunities at a consumer or individual level.""Many of the day trainings . . . Have the effect of isolating individuals receiving HCBS from the broader community."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
41	Ina	Oral	Participant	General comment or concern about the quality of a program and/or choice options	5	"They are tired of going to workshop and doing the same thing all day and getting paid piece work"	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.

42	Ina	Oral	Participant	Assurance of available service options to enable participant choice and integration in the greater community	1	"I was told if I had to move to CILA, I would have to quit my job and go to their workshop."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
43	Ina	Oral	Guardian	Specific concern that implementation of Transition Plan could add additional burden to provider and responsible parties	12	"Some of us don't want highly integrated for our person because of behavioral issues." Series of other questions relating to the rules.	42 CFR 430 Chapter VIII. Section 202 of the Unfunded Mandates Reform Act of 1195 (March 22, 1995, Pub. L. 104-4)	State will utilize existing stakeholder groups to help review state statutes, policies and procedures to ensure compliance. HCBS Rules are in effect and state is responsible for their implementation. Language in the Transition Plan has been added or modified to reflect these strategies.
44	Ina	Oral	Provider	Provider reimbursement rates may be barriers to compliance with portions of the CMS regulations	10	"This covers all of the waivers? Is there new funding for this? "With the woefully underfunded community system now it's pretty tough to create alternatives at this point unless they incentivize us."	42 CFR 430 Chapter VII, Section 202 of the Unfunded Mandates Reform Act of 1195 (March 22, 1995, Pub. L. 104-4) and Federal Register Vol. 79 No. 11 Part II, first column, second comment and CMS response.	The State recognizes the relationship between reimbursement and the provider's willingness and ability to provide additional service options as envisioned by the regulations. The State intends to comply with the Transition Plan, recognizing reimbursement may need to be addressed on a separate track. State reimbursement for services is subject to the appropriations of our General Assembly.
45	Ina	Oral	Provider	General comment or question regarding HCBS settings rules and need to be addressed through continuing education	6	"With the new administration change that's going to come in a couple of years in this course that is unalterable? . . . Understanding of the difference specifically we are now required to offer the choice of a private unit."	441.730(c )	Continued education is needed at all levels of Transition Plan implementation and will be a key component as we include stakeholders in review of state statutes, policies and procedures and at site visits. Language in the Transition Plan has been added or modified to reflect these strategies.

				<b>Assurance of available service options to enable participant choice and integration in the greater community</b>	<b>1</b>	"How much are we supposed to pull choice out when the choice isn't there."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
<b>46</b>	<b>Ina</b>	<b>Oral</b>	<b>Guardian</b>	<b>General comment or question regarding HCBS settings rules and need to be addressed through continuing education</b>	<b>6</b>	"I think that (individual having whoever they want in planning meetings) will be something we will struggle with . . . Because if the individual says, I don't want my guardian . . ."	441.730(c)	Continued education is needed at all levels of Transition Plan implementation and will be a key component as we include stakeholders in review of state statutes, policies and procedures and at site visits. Language in the Transition Plan has been added or modified to reflect these strategies.
<b>47</b>	<b>Ina</b>	<b>Oral</b>	<b>Provider</b>	<b>Assurance of available service options to enable participant choice and integration in the greater community</b>	<b>1</b>	"As the regulations roll out it seems like a lot of interest and a lot questions people have are about what has to be documented in the plan." ". . . Right now our ISP is running about 25 pages long . . ."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
<b>48</b>	<b>Ina</b>	<b>Oral</b>	<b>Provider</b>	<b>Process needs to be more defined regarding review of state statutes, policies and procedures to ensure compliance</b>	<b>7</b>	"And really a lot of what you are talking about is normal practice for providers." "What I am hearing is that it will be heavy on documentation that I think there needs to be additional Q work created . . ."	441.304(d) - (f)	State will utilize existing stakeholder groups to help review state statutes, policies and procedures to ensure compliance. Language in the Transition Plan has been added or modified to reflect these strategies.
<b>49</b>	<b>Ina</b>	<b>Oral</b>	<b>Provider</b>	<b>Rules may not recognize the value of a particular setting in terms of impact and support to specific populations</b>	<b>11</b>	"In an effort to have service available, ADS have been placed on campuses and that they may appear to not meet the requirements. . . . It's a day setting, they come to the Day Center to be some place safe and . . . Return to their own community."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.

50	Ina	Oral	Provider	General comment or question regarding HCBS settings rules and need to be addressed through continuing education	6	"As the plan falls is that looking like that to be the status quo or are they looking at the expectation that each provider also has to provide all of these options?" Other similar questions.	441.730(c )	Continued education is needed at all levels of Transition Plan implementation and will be a key component as we include stakeholders in review of state statutes, policies and procedures and at site visits. Language in the Transition Plan has been added or modified to reflect these strategies.
51	Ina	Oral	Guardian	General comment or question regarding HCBS settings rules and need to be addressed through continuing education	6	"So I guess, a person already living in their facility and says I want a private room .... I think . . . The issue would be the ISSA or whoever advocates for the person to force them to make a one bed or persons leaving their home to go to another place?"	441.730(c )	Continued education is needed at all levels of Transition Plan implementation and will be a key component as we include stakeholders in review of state statutes, policies and procedures and at site visits. Language in the Transition Plan has been added or modified to reflect these strategies.
52	Ina	Oral	Unknown	General comment or question regarding HCBS settings rules and need to be addressed through continuing education	6	"Are any of the 9 current waivers . . . Closer to the PCP than others?"	441.730(c )	Continued education is needed at all levels of Transition Plan implementation and will be a key component as we include stakeholders in review of state statutes, policies and procedures and at site visits. Language in the Transition Plan has been added or modified to reflect these strategies.
53	Ina	Oral	Provider	General comment or question regarding HCBS settings rules and need to be addressed through continuing education	6	"I think we started moving towards a PCP around the year 2000, I am not going to say we are all the way there . . ."	441.730(c )	Continued education is needed at all levels of Transition Plan implementation and will be a key component as we include stakeholders in review of state statutes, policies and procedures and at site visits. Language in the Transition Plan has been added or modified to reflect these strategies.
54	Ina	Oral	Provider	Comments or questions regarding issues not related to Transition Plan	3	"It is to a great degree; there are some parts of it, but it's not totally there, but it's pretty close" (Referencing IDoA's comprehensive assessment and plan of care)	N/A	These represent questions or comments that do not appear to relate to HCBS settings rules and are not being addressed in the Transition Plan.

55	Ina	Oral	Provider	Process needs to be more defined regarding review of state statutes, policies and procedures to ensure compliance	7	"On the PCP, I would go with . . . There needs to be a process where the choices are real and not just an assumption. Some people have very low cognitive abilities and it was highly offensive to me to get . . . Wanted these five people . . ."	441.304(d) - (f)	State will utilize existing stakeholder groups to help review state statutes, policies and procedures to ensure compliance. Language in the Transition Plan has been added or modified to reflect these strategies.
56	Ina	Oral	Participant	General comment or concern about the quality of a program and/or choice options	5	"They are tired of going to workshop and doing the same thing all day and getting paid piece work"	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
				Current Service Options/Definitions need to be reviewed and/or expanded under existing HCBS waivers and align with CMS regulations	4	". . . Can we make the PCP in an accommodating way to where if someone does have a low reading or understanding level that it would be easy enough for them to understand?"	441.304(d) - (f)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available and the definitions of these services comport with the rules. Language in the Transition Plan has been added or modified to reflect these strategies.
57	Ina	Oral	Provider	Provider reimbursement rates may be barriers to compliance with portions of the CMS regulations	10	". . . Providers are concerned about resources needed to meet integrated employment and other choices. The rates are not set-up at all for anything that is individualized."	42 CFR 430 Chapter VII, Section 202 of the Unfunded Mandates Reform Act of 1995 (March 22, 1995, Pub. L. 104-4) and Federal Register Vol. 79 No. 11 Part II, first column, second comment and CMS response.	The State recognizes the relationship between reimbursement and the provider's willingness and ability to provide additional service options as envisioned by the regulations. The State intends to comply with the Transition Plan, recognizing reimbursement may need to be addressed on a separate track. State reimbursement for services is subject to the appropriations of our General Assembly.

58	Rockford	Oral	Parent of a DD Participant	Assurance of available service options to enable participant choice and integration in the greater community	1	" . . . Looking for a small CILA so eventually will impact us if there are every any openings in family as possible . . . You want to have places close to family."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
				General comment or concern about the quality of a program and/or choice options	5	Person raised an array of examples regarding use of technology, green industries and "cutting edge" practices.	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
59	E-mail	Written	Advocate	General comment or question regarding HCBS settings rules and need to be addressed through continuing education	6	"integrate may do more harm than good. General principles like integration and least restrictive environment are fine, but when they translate into specific rules like CILAs must be 4 beds or less or that CILA residents can't do day programs on a campus, then you have done harm." Commenter when on to cite an array of concerns and suggest that there be flexibility.	441.730(c )	Continued education is needed at all levels of Transition Plan implementation and will be a key component as we include stakeholders in review of state statutes, policies and procedures and at site visits. Language in the Transition Plan has been added or modified to reflect these strategies.
60	E-mail	Written	Parent of a DD Participant	General comment or question regarding HCBS settings rules and need to be addressed through continuing education	6	" . . . HCBS rules will have a devastating effect on the quality of life for many special needs adults living in group homes in IL. . . . I understand the rule changes being considered, the ability to house more than 4 residents in a single structure would be eliminated . . requirement that all homes be fully accessible sounds great at first, but a better approach is to invest the necessary money in the structures that are best suited for non-ambulatory residents . . Misericordia has spent decades creating an enterprise that challenges and supports the needs and abilities of its residents."	441.730(c )	Continued education is needed at all levels of Transition Plan implementation and will be a key component as we include stakeholders in review of state statutes, policies and procedures and at site visits. Language in the Transition Plan has been added or modified to reflect these strategies.

61	E-mail	Written	Parent of a DD Participant	General comment or question regarding HCBS settings rules and need to be addressed through continuing education	6	" . . . it is important that IL not become more restrictive on its definitions of HCBS settings . . . Definition of home and community approved settings which we believe will have the impact of denying further choice for residents . . . We want the HCBS criteria to be outcome oriented and based upon the person's quality of life experiences . . . ADA, DD Bill of Rights, Omstead . . . have the human right and civil right to be supported in a setting of their choice and not forced into choosing from a more limited set of options. . . "	441.730(c)	Continued education is needed at all levels of Transition Plan implementation and will be a key component as we include stakeholders in review of state statutes, policies and procedures and at site visits. Language in the Transition Plan has been added or modified to reflect these strategies.
				General Comment Regarding Statewide Transition Plan Process	14	" . . Post all public comments as well as State summaries of public comments that will be sent to CMS to ensure accountability and transparency to stakeholders. "	I (a), paragraph 5	Illinois is required to meet the expectations of federal CMS in regards to the implementation of HCBS settings. language in the Transition Plan has been added or modified to reflect these strategies.
				Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	" . . . Request that current homes fall under a grandfather clause . . . "	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
62	E-mail	Written	Parent of a DD Participant	General comment or question regarding HCBS settings rules and need to be addressed through continuing education	6	" . . . it is important that IL not become more restrictive on its definitions of HCBS settings . . . Definition of home and community approved settings which we believe will have the impact of denying further choice for residents . . . We want the HCBS criteria to be outcome oriented and based upon the person's quality of life experiences . . . ADA, DD Bill of Rights, Omstead . . . have the human right and civil right to be supported in a setting of their choice and not forced into choosing from a more limited set of options. . . "	441.730(c)	Continued education is needed at all levels of Transition Plan implementation and will be a key component as we include stakeholders in review of state statutes, policies and procedures and at site visits. Language in the Transition Plan has been added or modified to reflect these strategies.

				<b>General Comment Regarding Statewide Transition Plan Process</b>	<b>14</b>	" . . Post all public comments as well as State summaries of public comments that will be sent to CMS to ensure accountability and transparency to stakeholders. "	I (a), paragraph 5	Illinois is required to meet the expectations of federal CMS in regards to the implementation of HCBS settings. language in the Transition Plan has been added or modified to reflect these strategies.
				<b>Rules may not recognize the value of a particular setting in terms of impact and support to specific populations</b>	<b>11</b>	" . . . Request that current homes fall under a grandfather clause . . . "	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
<b>63</b>	<b>E-mail</b>	<b>Written</b>	<b>Parent of a DD Participant</b>	<b>General comment or question regarding HCBS settings rules and need to be addressed through continuing education</b>	<b>6</b>	" . . it is important that IL not become more restrictive on its definitions of HCBS settings . . . Definition of home and community approved settings which we believe will have the impact of denying further choice for residents . . . We want the HCBS criteria to be outcome oriented and based upon the person's quality of life experiences . . ADA, DD Bill of Rights, Omstead . . . have the human right and civil right to be supported in a setting of their choice and not forced into choosing from a more limited set of options. . . "	441.730(c)	Continued education is needed at all levels of Transition Plan implementation and will be a key component as we include stakeholders in review of state statutes, policies and procedures and at site visits. Language in the Transition Plan has been added or modified to reflect these strategies.
				<b>General Comment Regarding Statewide Transition Plan Process</b>	<b>14</b>	" . . Post all public comments as well as State summaries of public comments that will be sent to CMS to ensure accountability and transparency to stakeholders. "	I (a), paragraph 5	Illinois is required to meet the expectations of federal CMS in regards to the implementation of HCBS settings. language in the Transition Plan has been added or modified to reflect these strategies.
				<b>Rules may not recognize the value of a particular setting in terms of impact and support to specific populations</b>	<b>11</b>	" . . . Request that current homes fall under a grandfather clause . . . "	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.

64	E-mail	Written	Parent of a DD Participant	General comment or question regarding HCBS settings rules and need to be addressed through continuing education	6	" . . . it is important that IL not become more restrictive on its definitions of HCBS settings . . . Definition of home and community approved settings which we believe will have the impact of denying further choice for residents . . . We want the HCBS criteria to be outcome oriented and based upon the person's quality of life experiences . . . ADA, DD Bill of Rights, Omstead . . . have the human right and civil right to be supported in a setting of their choice and not forced into choosing from a more limited set of options. . . "	441.730(c)	Continued education is needed at all levels of Transition Plan implementation and will be a key component as we include stakeholders in review of state statutes, policies and procedures and at site visits. Language in the Transition Plan has been added or modified to reflect these strategies.
				General Comment Regarding Statewide Transition Plan Process	14	" . . . Post all public comments as well as State summaries of public comments that will be sent to CMS to ensure accountability and transparency to stakeholders. "	I (a), paragraph 5	Illinois is required to meet the expectations of federal CMS in regards to the implementation of HCBS settings. language in the Transition Plan has been added or modified to reflect these strategies.
				Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	" . . . Request that current homes fall under a grandfather clause . . . "	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
65	E-mail	Written	Parent of a DD Participant	Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	" . . . I have gotten to know a great many of these CILA residents over the years and it is inspiring to listen to their stories . . . "	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.

66	E-mail	Written	Parent of a DD Participant	General comment or question regarding HCBS settings rules and need to be addressed through continuing education	6	"... I was warned by other parents that the people who would be making the biggest decisions about my daughter's life would be the people who had the least interactions with her."	441.730(c)	Continued education is needed at all levels of Transition Plan implementation and will be a key component as we include stakeholders in review of state statutes, policies and procedures and at site visits. Language in the Transition Plan has been added or modified to reflect these strategies.
				Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	"I choose Misericordia because she could live in a CILA with ladies in her age group, with similar interests and enjoy life beyond walls of that house. Misericordia gave her more than a bed to sleep and a home to live. . . They are not stuck in a house in a neighborhood with nothing to do. That was the life she was living at home with me."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
67	E-mail	Written	Parent of a DD Participant	Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	Commenter made many positive statements about their son's provider, the community and opportunities for him including their feelings of being assured he will be taken care of after they are gone.	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
68	E-mail	Written	Parent of a DD Participant	General Comment Regarding Statewide Transition Plan and Processes	14	"... It is important that the state of IL does not become restrictive of the definition of HCBS settings"	I (a), paragraph 5	Illinois is required to meet the expectations of federal CMS in regards to the implementation of HCBS settings. Language in the Transition Plan has been added or modified to reflect these strategies.
				General comment or question regarding HCBS settings rules and need to be addressed through continuing education	6	"Restricting the number of residents in a CILA to four defines a home by size rather than considering the setting."	441.730(c)	Continued education is needed at all levels of Transition Plan implementation and will be a key component as we include stakeholders in review of state statutes, policies and procedures and at site visits. Language in the Transition Plan has been added or modified to reflect these strategies.

				Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	"I ask that current facilities fall under a grandfather clause to reduce disruptions . . . Connections the residents have established which should be encouraged and protected."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
69	E-mail	Written	Parent of a DD Participant	General Comment Regarding Statewide Transition Plan and Processes	14	"It is important that the state not become restrictive of the definition of HCBS settings."	I (a), paragraph 5	Illinois is required to meet the expectations of federal CMS in regards to the implementation of HCBS settings. Language in the Transition Plan has been added or modified to reflect these strategies.
				General comment or question regarding HCBS settings rules and need to be addressed through continuing education	6	"Restricting the number of residents in a CILA to four defines a home by size rather than considering the setting." "Making Misericordia physically accessible even though none of its residents have ambulatory needs seems an unnecessary expense."	441.730(c)	Continued education is needed at all levels of Transition Plan implementation and will be a key component as we include stakeholders in review of state statutes, policies and procedures and at site visits. Language in the Transition Plan has been added or modified to reflect these strategies.
				Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	". . . Current facilities fall under a grandfather clause to reduce disruption and protect existing relationships . . ."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
70	E-mail	Written	Parent of a DD Participant	Assurance of available service options to enable participant choice and integration in the greater community	1	"I believe firmly in the rights of all citizens-- disabled or not -- to have choices about workplaces and home settings. Any new initiatives that offer more choice and more options welcome, but those that are created at the expense of existing, quality services are not."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.

				Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	"I am well aware of the tension between other advocates in the disability community and many of us who consider ourselves to be blessed to be a member of such a community as Misericordia"	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
				General comment or question regarding HCBS settings rules and need to be addressed through continuing education	6	" . . . Nobody can find any evidence or reasoning behind what seems to be the arbitrary limit being proposed of four individuals or less."	441.730(c )	Continued education is needed at all levels of Transition Plan implementation and will be a key component as we include stakeholders in review of state statutes, policies and procedures and at site visits. Language in the Transition Plan has been added or modified to reflect these strategies.
71	E-mail	Written	Parent of a DD Participant	Current Service Options/Definitions need to be reviewed and/or expanded under existing HCBS waivers and align with CMS regulations	4	"It is important that Illinois not become more restrictive on its definitions of HCBS settings . . . One sides does not fit all . . ."	441.304(d) - (f)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available and the definitions of these services comport with the rules. Language in the Transition Plan has been added or modified to reflect these strategies.
				Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	" . . . Settings like the one we have at Misericordia to be considered appropriate to meet HCBS criteria which we believe further increases for people with developmental disabilities." "As protected by the ADA, Developmental Disabilities Bill of Rights and the Olmstead Decision, individuals with disabilities have the human right and civil right to be supported in a setting of their choice . . ."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
				General Comment Regarding Statewide Transition Plan and Processes	14	"I hope that Illinois post all public comments as well as State summaries of public comments that will be sent to CMS to ensure accountability and transparency . . ."	I (a), paragraph 5	Illinois is required to meet the expectations of federal CMS in regards to the implementation of HCBS settings. Language in the Transition Plan has been added or modified to reflect these strategies.

				Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	" . . . Request that current homes fall under a grandfather clause . . . "	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
72	E-mail	Written	Parent of a DD Participant	Current Service Options/Definitions need to be reviewed and/or expanded under existing HCBS waivers and align with CMS regulations	4	" . . . One size does not fit all models would compromise the quality. . . "	441.304(d) - (f)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available and the definitions of these services comport with the rules. Language in the Transition Plan has been added or modified to reflect these strategies.
				Assurance of available service options to enable participant choice and integration in the greater community	1	"We appreciate the civil rights protections that individuals with disabilities enjoy, and oppose any policy that would seek to erode individual choice."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
				General comment or question regarding HCBS settings rules and need to be addressed through continuing education	6	" . . . We would like you to reconsider the condition that all settings become physically accessible."	441.730(c)	Continued education is needed at all levels of Transition Plan implementation and will be a key component as we include stakeholders in review of state statutes, policies and procedures and at site visits. Language in the Transition Plan has been added or modified to reflect these strategies.

				Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	" . . . Ask that current homes are afforded the grandfather clause on issues under consideration that would affect their lives."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
73	E-mail	Written	Parent of a DD Participant	Current Service Options/Definitions need to be reviewed and/or expanded under existing HCBS waivers and align with CMS regulations	4	" . . . Like to make it clear that Illinois not become more restrictive on its definition of HCBS services." " . . . Definition of home and community approved settings which we believe will have the impact of denying further choice for the residents."	441.304(d) - (f)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available and the definitions of these services comport with the rules. Language in the Transition Plan has been added or modified to reflect these strategies.
				Process needs to be more defined regarding review of state statutes, policies and procedures to ensure compliance	7	"We want the HCBS criteria to be outcome oriented and based upon the person's quality of life experiences."	441.304(d) - (f)	State will utilize existing stakeholder groups to help review state statutes, policies and procedures to ensure compliance. Language in the Transition Plan has been added or modified to reflect these strategies.
				Assurance of available service options to enable participant choice and integration in the greater community	1	"We also want Campus settings like the one we have at Misericordia to be considered appropriate to meet HCBS criteria which we believe further increases choice . . ."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
				Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	" . . . The ADA, Developmental Disabilities Bill of Rights and the Olmstead Decision, individuals with disabilities have the human right and civil right to be supported in a setting of their choice and not forced into choosing from a more limited set of options."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.

				General comment or question regarding HCBS settings rules and need to be addressed through continuing education	6	" . . . Settings be physically accessible be implemented only when there is a need."	441.730(c )	Continued education is needed at all levels of Transition Plan implementation and will be a key component as we include stakeholders in review of state statutes, policies and procedures and at site visits. Language in the Transition Plan has been added or modified to reflect these strategies.
				General Comment Regarding Statewide Transition Plan and Processes	14	" . . . Post all public comments as well as State summaries of public comments that will be sent to CMS to ensure accountability and transparency. . . "	l (a), paragraph 5	Illinois is required to meet the expectations of federal CMS in regards to the implementation of HCBS settings. Language in the Transition Plan has been added or modified to reflect these strategies.
				Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	" . . . Current facilities fall under a grandfather clause to reduce the disruption . . . "	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
74	E-mail	Written	Family of a DD Participant	Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	" . . My 20 years of involvement with Misericordia made me very comfortable in asserting, as strongly as can be said, that Misericordia has a remarkable ability to provide for the needs of handicapped persons.""CILA residents must not be excluded from daily participation in the rich opportunities the Misericordia campus provides them." " . . . Rules impacting Misericordia current operations are made, they should be prospective only."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
				General comment or question regarding HCBS settings rules and need to be addressed through continuing education	6	" . . . Proposed rules contemplate limited the size of CILA" " . . . CILA residents who are deemed to employable in commercial settings be required to get a regular job." " . . . An inflexible mandate to build accommodations for persons with ambulatory needs into every CILA."	441.730(c )	Continued education is needed at all levels of Transition Plan implementation and will be a key component as we include stakeholders in review of state statutes, policies and procedures and at site visits. Language in the Transition Plan has been added or modified to reflect these strategies.

75	E-mail	Written	Family of a DD Participant	Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	Many personal supportive statements describing the campus community to be an integrated setting.	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
				General comment or question regarding HCBS settings rules and need to be addressed through continuing education	6	" The proposed regulation limiting the population of an independent living home to four residents arbitrarily would affect both the economics of operating such facilities . . . ."	441.730(c)	Continued education is needed at all levels of Transition Plan implementation and will be a key component as we include stakeholders in review of state statutes, policies and procedures and at site visits. Language in the Transition Plan has been added or modified to reflect these strategies.
				Process needs to be more defined regarding review of state statutes, policies and procedures to ensure compliance	7	"As you create regulations, please consider the funds that would be necessary to retrofit existing structures to full ADA compliance are funds that would be unavailable for care. . . . Please grandfather existing facilities such as Misericordia."	441.304(d) - (f)	State will utilize existing stakeholder groups to help review state statutes, policies and procedures to ensure compliance. Language in the Transition Plan has been added or modified to reflect these strategies.
				Assurance of available service options to enable participant choice and integration in the greater community	1	"Individuals must have the dignity of choices that meet their needs. Please do not implement rules that reduce the flexibility of campus-based communities to service each person according to his/her best life choices."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
				Current Service Options/Definitions need to be reviewed and/or expanded under existing HCBS waivers and align with CMS regulations	4	"What is important is outcomes, not arbitrary metrics and one-size-all compliance."	441.304(d) - (f)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.

				<b>General Comment Regarding Statewide Transition Plan and Processes</b>	<b>14</b>	"Please make these comments, and all comments, public."	I (a), paragraph 5	Illinois is required to meet the expectations of federal CMS in regards to the implementation of HCBS settings. Language in the Transition Plan has been added or modified to reflect these strategies.
<b>76</b>	<b>E-mail</b>	<b>Written</b>	<b>Family of a DD Participant</b>	<b>Current Service Options/Definitions need to be reviewed and/or expanded under existing HCBS waivers and align with CMS regulations</b>	<b>4</b>	"The State should not become more restrictive in its definition of home and community approved settings."	441.304(d) - (f)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available and the definitions of these services comport with the rules. Language in the Transition Plan has been added or modified to reflect these strategies.
				<b>General comment or question regarding HCBS settings rules and need to be addressed through continuing education</b>	<b>6</b>	"CILAs should not be mandated to limits of only four people or less." . . . All settings be physically accessible should be implemented only when there is a practical need in a given setting. Existing homes with full ambulatory residents should be exempted when no need exists."	441.730(c)	Continued education is needed at all levels of Transition Plan implementation and will be a key component as we include stakeholders in review of state statutes, policies and procedures and at site visits. Language in the Transition Plan has been added or modified to reflect these strategies.
				<b>Assurance of available service options to enable participant choice and integration in the greater community</b>	<b>1</b>	"Individuals with disabilities should have the right to multiple choices of activities and workplaces."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
				<b>Rules may not recognize the value of a particular setting in terms of impact and support to specific populations</b>	<b>11</b>	"Campus settings in concern with CILAs, like Misericordia with ICF-DDs, CCLs and CLF and SNF/Ped should be considered appropriate to meet HCBS criteria."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.

				<b>Comments or questions regarding issues not related to Transition Plan</b>	<b>3</b>	"ICF-DDs are not bad institutions, they are homes."	N/A	These represent questions or comments that do not appear to relate to HCBS settings rules and are not being addressed in the Transition Plan.
				<b>Current Service Options/Definitions need to be reviewed and/or expanded under existing HCBS waivers and align with CMS regulations</b>	<b>4</b>	"HCBS criteria and assessments should be outcome oriented."	441.304(d) - (f)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available and the definitions of these services comport with the rules. Language in the Transition Plan has been added or modified to reflect these strategies.
				<b>General Comment Regarding Statewide Transition Plan and Processes</b>	<b>14</b>	" . . . State summaries of public comments that will be sent to CMS to ensure accountability and transparency to stakeholders."	I (a), paragraph 5	Illinois is required to meet the expectations of federal CMS in regards to the implementation of HCBS settings. Language in the Transition Plan has been added or modified to reflect these strategies.
<b>77</b>	<b>E-mail</b>	<b>Written</b>	<b>Family of a DD Participant</b>	<b>General comment or question regarding HCBS settings rules and need to be addressed through continuing education</b>	<b>6</b>	" . . . I would hate to see any changes made to CILA regulations that would limit the number of residents in a house."	441.730(c )	Continued education is needed at all levels of Transition Plan implementation and will be a key component as we include stakeholders in review of state statutes, policies and procedures and at site visits. Language in the Transition Plan has been added or modified to reflect these strategies.
				<b>Process needs to be more defined regarding review of state statutes, policies and procedures to ensure compliance</b>	<b>7</b>	" . . . The cost of adding ramps to houses that don't really have a resident with that need is another expense that I see as wasteful."	441.304(d) - (f)	State will utilize existing stakeholder groups to help review state statutes, policies and procedures to ensure compliance. Language in the Transition Plan has been added or modified to reflect these strategies.

				Current Service Options/Definitions need to be reviewed and/or expanded under existing HCBS waivers and align with CMS regulations	4	"Please do not become more restrictive to the definition of home and community."	441.304(d) - (f)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available and the definitions of these services comport with the rules. Language in the Transition Plan has been added or modified to reflect these strategies.
				Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	Many personal supportive statements describing the campus community to be an integrated setting.	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
78	E-mail	Written	Family of a DD Participant	General comment or question regarding HCBS settings rules and need to be addressed through continuing education	6	"... Untenable burden on our CILA homes. ... The new rules say we could only have 4"	441.730(c)	Continued education is needed at all levels of Transition Plan implementation and will be a key component as we include stakeholders in review of state statutes, policies and procedures and at site visits. Language in the Transition Plan has been added or modified to reflect these strategies.
				Process needs to be more defined regarding review of state statutes, policies and procedures to ensure compliance	7	"If you would like more feedback or participation in formulating the new rules, I encourage you to involve the Misericordia community."	441.304(d) - (f)	State will utilize existing stakeholder groups to help review state statutes, policies and procedures to ensure compliance. Language in the Transition Plan has been added or modified to reflect these strategies.
79	E-mail	Written	Family of a DD Participant	General comment or question regarding HCBS settings rules and need to be addressed through continuing education	6	"Limited the number of residents in a home to 4 or less." "Forcing all homes to be physically accessible by individuals with physical disabilities"	441.730(c)	Continued education is needed at all levels of Transition Plan implementation and will be a key component as we include stakeholders in review of state statutes, policies and procedures and at site visits. Language in the Transition Plan has been added or modified to reflect these strategies.

				<b>Assurance of available service options to enable participant choice and integration in the greater community</b>	<b>1</b>	"Forcing residents of assisted living housing to integrate with the common workforce."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
<b>80</b>	<b>E-mail</b>	<b>Written</b>	<b>Family of a DD Participant</b>	<b>General comment or question regarding HCBS settings rules and need to be addressed through continuing education</b>	<b>6</b>	"We understand that a number of proposals are under consideration. One . . . Limitation of four persons per CILA, This seems arbitrary."	441.730(c )	Continued education is needed at all levels of Transition Plan implementation and will be a key component as we include stakeholders in review of state statutes, policies and procedures and at site visits. Language in the Transition Plan has been added or modified to reflect these strategies.
				<b>Assurance of available service options to enable participant choice and integration in the greater community</b>	<b>1</b>	"Expanding employment is desirable, campus opportunities should not be sacrificed. Outside employment is very difficult to find."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
				<b>Process needs to be more defined regarding review of state statutes, policies and procedures to ensure compliance</b>	<b>7</b>	"CILAs should only be required to be physically accessible only if such access is needed by residents."	441.304(d) - (f)	State will utilize existing stakeholder groups to help review state statutes, policies and procedures to ensure compliance. Language in the Transition Plan has been added or modified to reflect these strategies.
				<b>General Comment Regarding Statewide Transition Plan and Processes</b>	<b>14</b>	"We think that all comments received should be publically posted so that the inputs can be fully understood."	I (a), paragraph 5	Illinois is required to meet the expectations of federal CMS in regards to the implementation of HCBS settings. Language in the Transition Plan has been added or modified to reflect these strategies.

				Comments or questions regarding issues not related to Transition Plan	3	"ICF-DD are acceptable choice."	N/A	These represent questions or comments that do not appear to relate to HCBS settings rules and are not being addressed in the Transition Plan.
				Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	". . . Existing rules should be grandfathered into the system."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
81	E-mail	Written	Family of a DD Participant	Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	"We also want campus settings like the one we have at Misericordia to be considered appropriate to meet IL HCBS criteria which we believe further increases choice . . . " "Please consider that current homes and residents fall under a grandfather clause to reduce the disruption . . . residents have established relationships and connections to their internal and external communities. . . "	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
82	E-mail	Written	Guardian	General comment or question regarding HCBS settings rules and need to be addressed through continuing education	6	"CILAs should not be limited to 4 people."	441.730(c)	Continued education is needed at all levels of Transition Plan implementation and will be a key component as we include stakeholders in review of state statutes, policies and procedures and at site visits. Language in the Transition Plan has been added or modified to reflect these strategies.

				<b>Assurance of available service options to enable participant choice and integration in the greater community</b>	<b>1</b>	" . . . Should not be forced to integrate into the workplace at this time in her life as she now has early onset Alzheimer's." "Individuals with disabilities must have an array of choices for support options, settings and opportunities for the changing needs of their lifespan."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
				<b>Rules may not recognize the value of a particular setting in terms of impact and support to specific populations</b>	<b>11</b>	" . . . Existing services should be grandfathered and 8 person CILA's should be allowed to exist."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
<b>83</b>	<b>E-mail</b>	<b>Written</b>	<b>Parent of a DD Participant</b>	<b>Current Service Options/Definitions need to be reviewed and/or expanded under existing HCBS waivers and align with CMS regulations</b>	<b>4</b>	"The definition of home and community should not be based on physical characteristics, but on the quality of life of its residents."	441.304(d) - (f)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available and the definitions of these services comport with the rules. Language in the Transition Plan has been added or modified to reflect these strategies.
				<b>General comment or question regarding HCBS settings rules and need to be addressed through continuing education</b>	<b>6</b>	" . . . An existing CILA should not have to closed or reduced in size but should be grandfathered in whatever the new rules are."	441.730(c)	Continued education is needed at all levels of Transition Plan implementation and will be a key component as we include stakeholders in review of state statutes, policies and procedures and at site visits. Language in the Transition Plan has been added or modified to reflect these strategies.
				<b>General Comment Regarding Statewide Transition Plan and Processes</b>	<b>14</b>	" It is our hope that Illinois will post all public comments as well as State summaries of public comments that will be sent to CMS to ensure accountability and transparency to stakeholders."	I (a), paragraph 5	Illinois is required to meet the expectations of federal CMS in regards to the implementation of HCBS settings. Language in the Transition Plan has been added or modified to reflect these strategies.

84	E-mail	Written	Parent of a DD Participant	General comment or question regarding HCBS settings rules and need to be addressed through continuing education	4	"CILAs to 4 people would be tragic. Four may be fine for some, but eight is great for others." "Rather than retrofitting our daughter's CILA for special physical accessibility when there is no concrete need now, let it be done appropriately as needed."	441.304(d) - (f)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available and the definitions of these services comport with the rules. Language in the Transition Plan has been added or modified to reflect these strategies.
				Assurance of available service options to enable participant choice and integration in the greater community	1	" . . . A narrow range of employment options or definition of community shouldn't exclude the meaningful, immensely satisfying and appropriate work our daughter does on campus at Misericordia" "We urge that individuals with disabilities be given as much choice as possible so that, in consultation with those they love, they can choose what is most helpful for them as individuals."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
85	E-mail	Written	Parent of a DD Participant	General comment or question regarding HCBS settings rules and need to be addressed through continuing education	6	"We understand that a number of proposals are under consideration. One . . . Limitation of four persons per CILA, This seems arbitrary."	441.730(c)	Continued education is needed at all levels of Transition Plan implementation and will be a key component as we include stakeholders in review of state statutes, policies and procedures and at site visits. Language in the Transition Plan has been added or modified to reflect these strategies.
				Assurance of available service options to enable participant choice and integration in the greater community	1	"We believe our residents should be able to keep existing campus opportunities."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.

				<b>Process needs to be more defined regarding review of state statutes, policies and procedures to ensure compliance</b>	<b>7</b>	"We would like to see the condition that all settings be physically accessible be implemented only when there is a need." "We want the HCBS criteria to be based on quality of life experience."	441.304(d) - (f)	State will utilize existing stakeholder groups to help review state statutes, policies and procedures to ensure compliance. Language in the Transition Plan has been added or modified to reflect these strategies.
				<b>General Comment Regarding Statewide Transition Plan and Processes</b>	<b>14</b>	" . . . Our hope would be that IL post all public comments as well as State summaries of public comments . . . To ensure accountability and transparency . . ."	I (a), paragraph 5	Illinois is required to meet the expectations of federal CMS in regards to the implementation of HCBS settings. Language in the Transition Plan has been added or modified to reflect these strategies.
<b>86</b>	<b>E-mail</b>	<b>Written</b>	<b>Friend of a DD Participant</b>	<b>Assurance of available service options to enable participant choice and integration in the greater community</b>	<b>1</b>	" . . . To find appropriate employment assumes a level of sophistication and awareness on the part of employers that is unreasonable in a favorable employment client, let alone the one that so many without disabilities find challenging today.	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
				<b>Rules may not recognize the value of a particular setting in terms of impact and support to specific populations</b>	<b>11</b>	"We trust you take . . . Into consideration and look closely at models of success, care and love in places like Misericordia operate . . ."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site visits to validate and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
<b>87</b>	<b>E-mail</b>	<b>Written</b>	<b>Family of a DD Participant</b>	<b>General comment or question regarding HCBS settings rules and need to be addressed through continuing education</b>	<b>6</b>	"CILAs should not be limited to 4 people."	441.730(c)	Continued education is needed at all levels of Transition Plan implementation and will be a key component as we include stakeholders in review of state statutes, policies and procedures and at site visits. Language in the Transition Plan has been added or modified to reflect these strategies.

				<b>Rules may not recognize the value of a particular setting in terms of impact and support to specific populations</b>	11	"Many organizations currently operating CILAs have created community participation. The residents are provided the support they need to access the off campus world for activities and events." " . . . Please do not punish the existing programs which are providing an excellent quality of life and rewarding work experience."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
				<b>Comments or questions regarding issues not related to Transition Plan</b>	3	"ICF--DDs are not institutions"	N/A	These represent questions or comments that do not appear to relate to HCBS settings rules and are not being addressed in the Transition Plan.
				<b>Assurance of available service options to enable participant choice and integration in the greater community</b>	1	"Employment in the market place is woefully unwelcoming to this group of people. . . . In a CILA are not all the same and to assume they will all manage a job in the market place is wrong."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
88	E-mail	Written	Family of a DD Participant	<b>Assurance of available service options to enable participant choice and integration in the greater community</b>	1	" . . We do not want the State to become more restrictive in its definition of home and community approved settings which we believe will have the impact of denying choice . . ."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.

				Current Service Options/Definitions need to be reviewed and/or expanded under existing HCBS waivers and align with CMS regulations	4	"We want the HCBS criteria to be outcome oriented and based upon the person's quality of life . . "	441.304(d) - (f)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available and the definitions of these services comport with the rules. Language in the Transition Plan has been added or modified to reflect these strategies.
				Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	" . . . Campus settings like the one we have at Misericordia to be considered appropriate to meet HCBS criteria which we believe further increases choice for people . . . "	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
				Assurance of available service options to enable participant choice and integration in the greater community	1	"ICF-DD is a perfect option for my daughter."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
				General Comment Regarding Statewide Transition Plan and Processes	14	" . . Post all public comments as well as State summaries of public comments that will be sent to CMS to ensure accountability and transparency to stakeholders. "	I (a), paragraph 5	Illinois is required to meet the expectations of federal CMS in regards to the implementation of HCBS settings. Language in the Transition Plan has been added or modified to reflect these strategies.
89	E-mail	Written	DD Provider	Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	" . . . Definition of HCBS settings is based on individual experience and outcomes, rather than one based on setting's locations, geography or physical characteristics."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.

				<b>Provider reimbursement rates may be barriers to compliance with portions of the CMS regulations</b>	<b>10</b>	" . . . Meaningful changes will require both initial start-up and ongoing financial support for remediation in order to effectively maintain the integrity of the new HCBS regulations."	42 CFR 430 Chapter VII, Section 202 of the Unfunded Mandates Reform Act of 1195 (March 22, 1995, Pub. L. 104-4) and Federal Register Vol. 79 No. 11 Part II, first column, second comment and CMS response.	The State recognizes the relationship between reimbursement and the provider's willingness and ability to provide additional service options as envisioned by the regulations. The State intends to comply with the Transition Plan, recognizing reimbursement may need to be addressed on a separate track. State reimbursement for services is subject to the appropriations of our General Assembly.
				<b>General Comment Regarding Statewide Transition Plan and Processes</b>	<b>14</b>	" . . .using existing governing/monitoring bodies that have established practices and community relationships . . . Input and involvement from the DDD in the transition is essential and should be outlined in the place explicitly."	I (a), paragraph 5	Illinois is required to meet the expectations of federal CMS in regards to the implementation of HCBS settings. Language in the Transition Plan has been added or modified to reflect these strategies.
<b>90</b>	<b>E-mail</b>	<b>Written</b>	<b>Family of a DD Participant</b>	<b>General comment or question regarding HCBS settings rules and need to be addressed through continuing education</b>	<b>6</b>	" . . . Having fewer residents at his CILA would not make it easier for him and will make it difficult for the residents to have the feeling of family . . . ."Arbitrarily reducing the number of residents in a CILA also becomes expensive for Misericordia and all others that care and support . . ." "Adding handicapped accessible improvements to every CILA when they are not needed is a waste of everyone's money."	441.730(c )	Continued education is needed at all levels of Transition Plan implementation and will be a key component as we include stakeholders in review of state statutes, policies and procedures and at site visits. Language in the Transition Plan has been added or modified to reflect these strategies.

				<b>Assurance of available service options to enable participant choice and integration in the greater community</b>	<b>1</b>	" . . . Existing campus opportunities should not be sacrifice, but rather should be offered as an addition to present programs." "Individuals with disabilities have the right to multiple choices of workplaces."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
				<b>Current Service Options/Definitions need to be reviewed and/or expanded under existing HCBS waivers and align with CMS regulations</b>	<b>4</b>	"The definition of home and community should not be based on physical characteristics, but on the quality of life afforded its residents."	441.304(d) - (f)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available and the definitions of these services comport with the rules. Language in the Transition Plan has been added or modified to reflect these strategies.
				<b>Rules may not recognize the value of a particular setting in terms of impact and support to specific populations</b>	<b>11</b>	"Misericordia is already a community within a community." " . . . I believe it would be fair to all involved, mostly the residents, that the HFS State Transition Planning Team consider grandfathering in existing services."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
				<b>Comments or questions regarding issues not related to Transition Plan</b>	<b>3</b>	"On the point of ICF-DDs, they are perfectly acceptable choice."	N/A	These represent questions or comments that do not appear to relate to HCBS settings rules and are not being addressed in the Transition Plan.

91	E-mail	Written	Family of a DD Participant	Current Service Options/Definitions need to be reviewed and/or expanded under existing HCBS waivers and align with CMS regulations	4	" . . . we do not want the state to be more restrictive in its definition of home and community approved settings which we believe will have the impact of denying further choice for the residents."	441.304(d) - (f)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available and the definitions of these services comport with the rules. Language in the Transition Plan has been added or modified to reflect these strategies.
				Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	"We also want Campus settings like the one we have at Misericordia to be considered appropriate to meet HCBS criteria which we believe further increases choice . . ."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
				Process needs to be more defined regarding review of state statutes, policies and procedures to ensure compliance	7	" . . . The ADA, Developmental Disabilities Bill of Rights and the Olmstead Decision, individuals with disabilities have the human right and civil right to be supported in a setting of their choice and not forced into choosing from a more limited set of options."	441.304(d) - (f)	State will utilize existing stakeholder groups to help review state statutes, policies and procedures to ensure compliance. Language in the Transition Plan has been added or modified to reflect these strategies.
				Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	" . . . All settings be physically accessible be implemented only when there is a need."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
				General Comment Regarding Statewide Transition Plan and Processes	14	" . . . IL should post all public comments as well as State summaries of public comments that will be sent to CMS to assure accountability and transparency. . ."	I (a), paragraph 5	Illinois is required to meet the expectations of federal CMS in regards to the implementation of HCBS settings. Language in the Transition Plan has been added or modified to reflect these strategies.

				<b>Rules may not recognize the value of a particular setting in terms of impact and support to specific populations</b>	11	" . . Current homes fall under a grandfather clause to reduce the disruption to the individuals that reside in those homes. "	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
92	E-mail	Written	Academic	<b>Current Service Options/Definitions need to be reviewed and/or expanded under existing HCBS waivers and align with CMS regulations</b>	4	"Placement is more encompassing word than setting. Setting means the surrounding , the background only. Placement means one has put in a proper position or situation. . . Considering the totality of the placement, the appropriateness and meaningfulness of the placement for the individual."	441.304(d) - (f)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available and the definitions of these services comport with the rules. Language in the Transition Plan has been added or modified to reflect these strategies.
				<b>General comment or question regarding HCBS settings rules and need to be addressed through continuing education</b>	6	" . . Numerical formulas, or quantitative constructs, 4 per setting, versus 7-8 per setting, shouldn't drive decisions concerning living arrangements."	441.730(c )	Continued education is needed at all levels of Transition Plan implementation and will be a key component as we include stakeholders in review of state statutes, policies and procedures and at site visits. Language in the Transition Plan has been added or modified to reflect these strategies.
				<b>Rules may not recognize the value of a particular setting in terms of impact and support to specific populations</b>	11	"The paternalistic attitudes of those insistent groups are lost to them. Claiming to know what's best for each and every CILA resident, excluding the voices of the residents' parents, they wave a flag of independence on behalf of CILA residents."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.

93	E-mail	Written	Family of a DD Participant	General comment or question regarding HCBS settings rules and need to be addressed through continuing education	6	"The number of people who live in a CILA should not be limited to 4, which is very arbitrary number." "All CILAs should not have to be physically accessible, only if it is actually needed."	441.730(c)	Continued education is needed at all levels of Transition Plan implementation and will be a key component as we include stakeholders in review of state statutes, policies and procedures and at site visits. Language in the Transition Plan has been added or modified to reflect these strategies.
				Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	"We feel our campus is a community, and our residents the life line of it."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
				Process needs to be more defined regarding review of state statutes, policies and procedures to ensure compliance	7	"if rules should be grandfather in, to existing CILAs in place at the time of these rules change."	441.304(d) - (f)	State will utilize existing stakeholder groups to help review state statutes, policies and procedures to ensure compliance. Language in the Transition Plan has been added or modified to reflect these strategies.
94	E-mail	Written	Family of a DD Participant	Current Service Options/Definitions need to be reviewed and/or expanded under existing HCBS waivers and align with CMS regulations	4	"It is critical that Illinois not become more restrictive on its definitions of HCBS settings. . . . Keep open the definition of home and community approved settings."	441.304(d) - (f)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available and the definitions of these services comport with the rules. Language in the Transition Plan has been added or modified to reflect these strategies.
				Process needs to be more defined regarding review of state statutes, policies and procedures to ensure compliance	7	"I want the HCBS criteria to be outcome oriented and based on upon the person's quality of life experiences."	441.304(d) - (f)	State will utilize existing stakeholder groups to help review state statutes, policies and procedures to ensure compliance. Language in the Transition Plan has been added or modified to reflect these strategies.

				<b>Rules may not recognize the value of a particular setting in terms of impact and support to specific populations</b>	11	"I want campus settings like the one we have at Misericordia to be considered appropriate to meet HCBS criteria which I believe further increases choice for people . . ."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
				<b>Process needs to be more defined regarding review of state statutes, policies and procedures to ensure compliance</b>	7	" . . . The ADA, Developmental Disabilities Bill of Rights and the Olmstead Decision, individuals with disabilities have the human right and civil right to be supported in a setting of their choice and not forced into choosing from a more limited set of op	441.304(d) - (f)	State will utilize existing stakeholder groups to help review state statutes, policies and procedures to ensure compliance. Language in the Transition Plan has been added or modified to reflect these strategies.
				<b>Process needs to be more defined regarding review of state statutes, policies and procedures to ensure compliance</b>	7	" . . . the condition that all settings be physically accessible be implemented only when there is a need."	441.304(d) - (f)	State will utilize existing stakeholder groups to help review state statutes, policies and procedures to ensure compliance. Language in the Transition Plan has been added or modified to reflect these strategies.
				<b>General Comment Regarding Statewide Transition Plan and Processes</b>	14	" . . . Post all public comment, as well as state summaries of public comments that will be sent to CMS to ensure a public accountability of actions taken.	I (a), paragraph 5	Illinois is required to meet the expectations of federal CMS in regards to the implementation of HCBS settings. Language in the Transition Plan has been added or modified to reflect these strategies.
				<b>Process needs to be more defined regarding review of state statutes, policies and procedures to ensure compliance</b>	7	" A grandfather clause should be implemented for current residential homes to prevent any disruption to existing residents."	441.304(d) - (f)	State will utilize existing stakeholder groups to help review state statutes, policies and procedures to ensure compliance. Language in the Transition Plan has been added or modified to reflect these strategies.

95	E-mail	Written	Family of a DD Participant	Assurance of available service options to enable participant choice and integration in the greater community	1	" . . . Regarding CILAs in the IL State Transition Plan, I do not agree that they represent the least restrictive environment as demanded by federal legislation for the developmentally disabled."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
				Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	" . . . CILA should be physically accessible only when a person with a physical disability lives there."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
				Assurance of available service options to enable participant choice and integration in the greater community	1	"The campus is what makes his employment work. Without the campus, he would not be able to hold down a job and would end up at the CILA in front of a TV all day." "It seems very restrictive to make adults whose have limited skills to spend their lives applying for jobs and day after day being turned down, or to start a new job and over and over, just be fired . . ."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
				Assurance of available service options to enable participant choice and integration in the greater community	1	"Anyone that is happy and thriving in their current situation, be it ICF-DDs or CILAs should not be forced to change."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.

				Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	" . . . Good environments, grandfather them in their situations."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
96	E-mail	Written	DD Advocate	General Comment Regarding Statewide Transition Plan and Processes	14	" . . . Why a separate assessment had to be developed to provide you with this information? There are already detailed, out-come based accrediting bodies that many IL organizations are accredited by that offer regular detailed assessments of the degree to which individuals are receiving individualized person-driven services."	I (a), paragraph 5	Illinois is required to meet the expectations of federal CMS in regards to the implementation of HCBS settings. Language in the Transition Plan has been added or modified to reflect these strategies.
				General Comment Regarding Statewide Transition Plan and Processes	14	" . . . results from any evaluations and survey be shared with the organizations during the higher scrutiny process."	I (a), paragraph 5	Illinois is required to meet the expectations of federal CMS in regards to the implementation of HCBS settings. Language in the Transition Plan has been added or modified to reflect these strategies.
				Provider reimbursement rates may be barriers to compliance with portions of the CMS regulations	10	"Does the Transition Plan effort anticipates that results identifying lack of public funding be shared with Illinois funders before a required training curriculum is provided? If not it is requested that this be done."	42 CFR 430 Chapter VII, Section 202 of the Unfunded Mandates Reform Act of 1195 (March 22, 1995, Pub, L. 104-4) and Federal Register Vol. 79 No. 11 Part II, first column, second comment and CMS response.	The State recognizes the relationship between reimbursement and the provider's willingness and ability to provide additional service options as envisioned by the regulations. The State intends to comply with the Transition Plan, recognizing reimbursement may need to be addressed on a separate track. State reimbursement for services is subject to the appropriations of our General Assembly.

				<b>Rules may not recognize the value of a particular setting in terms of impact and support to specific populations</b>	11	"It is requested that additional information be obtained from consumers regarding the desired frequency of chosen activities both on and off-site	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
				<b>Rules may not recognize the value of a particular setting in terms of impact and support to specific populations</b>	11	"It is suggested that the plan refrain from very generalized data and find a way to consider the many diverse support needs and preferences of the consumers served." " . . . Survey questions seem to consider that the physical location of the organization is the primary influenced of access to community activities. This may not be the only effective way to measure community integration." " . . . questions should be added regarding community members who may visit the consumer in their home, or visitors that the consumer has other than staff, or consumers have unpaid friendships with others than paid staff." " . . . surveys to the consumers of provider agency"	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
				<b>General Comment Regarding Statewide Transition Plan and Processes</b>	14	" . . . Workgroups developed by IL leadership to review and assess the results of these surveys also include stakeholder representation."	I (a), paragraph 5	Illinois is required to meet the expectations of federal CMS in regards to the implementation of HCBS settings. Language in the Transition Plan has been added or modified to reflect these strategies.
				<b>General Comment Regarding Statewide Transition Plan and Processes</b>	14	" . . . it is requested that information on transportation resources and individual choice in care and services be collected from waiver participants."	I (a), paragraph 5	Illinois is required to meet the expectations of federal CMS in regards to the implementation of HCBS settings. Language in the Transition Plan has been added or modified to reflect these strategies.

				<b>General Comment Regarding Statewide Transition Plan and Processes</b>	<b>14</b>	"It's requested that the state summary of public comments be posted to ensure accountability . . ."	I (a), paragraph 5	Illinois is required to meet the expectations of federal CMS in regards to the implementation of HCBS settings. Language in the Transition Plan has been added or modified to reflect these strategies.
<b>97</b>	<b>E-mail</b>	<b>Written</b>	<b>Parent of a DD Participant</b>	<b>Process needs to be more defined regarding review of state statutes, policies and procedures to ensure compliance</b>	<b>7</b>	" . . .citizens living in CILA and ICF-DD facilities . . Is the most diverse, heterogeneous segment of all community groups residing in our state. The diversity of their cognitive development, physical abilities and medical needs challenges care givers and agency providers to develop protocols that meet and satisfy the needs of these citizens."	441.304(d) - (f)	State will utilize existing stakeholder groups to help review state statutes, policies and procedures to ensure compliance. Language in the Transition Plan has been added or modified to reflect these strategies.
				<b>Assurance of available service options to enable participant choice and integration in the greater community</b>	<b>1</b>	"Group homes of four or few residents would isolate and likely diminish the level and amount of care provided . . ."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
				<b>General comment or question regarding HCBS settings rules and need to be addressed through continuing education</b>	<b>6</b>	"Why should we mandate the arbitrary and costly retrofitting of CILAs caring for fellow citizens who are not constrained by physical accessibility issues?" "Wasteful retrofitting is not the best use of these finite resources."	441.730(c)	Continued education is needed at all levels of Transition Plan implementation and will be a key component as we include stakeholders in review of state statutes, policies and procedures and at site visits. Language in the Transition Plan has been added or modified to reflect these strategies.
				<b>Process needs to be more defined regarding review of state statutes, policies and procedures to ensure compliance</b>	<b>7</b>	"Please develop the most flexible transition guidelines that empower these very capable caregivers to develop programming and residential care settings that meet the unique and extremely diverse needs of our most vulnerable community group."	441.304(d) - (f)	State will utilize existing stakeholder groups to help review state statutes, policies and procedures to ensure compliance. Language in the Transition Plan has been added or modified to reflect these strategies.

98	E-mail	Written	DD Participant	Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	"I would just like to say that I have had a wonderful life at Misericordia . . ."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
99	E-mail	Written	Parent of a DD Participant	General comment or question regarding HCBS settings rules and need to be addressed through continuing education	6	"it is vitally important that you take into account that one size home and one type of program does not fit all persons with disabilities." " . . . CILAs should not be limited in size to just four residents."	441.730(c )	Continued education is needed at all levels of Transition Plan implementation and will be a key component as we include stakeholders in review of state statutes, policies and procedures and at site visits. Language in the Transition Plan has been added or modified to reflect these strategies.
				Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	"The CILA looks like every other house in the neighborhood which makes the CILA residents feels very much a part of the community in which they live."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
				Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	"It would be devastating . . .for their lives to be disrupted if these rules were implemented in the proposed manner. . . . We would request that current Misericordia CILAs be grandfathered to protect the well-being of the existing residents."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
100	E-mail	Written	Parents of daughter with a DD	Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	"Forcing her to transition from a campus setting to a home is counter-productive....Misericordia...is more than a home...but rather a community..."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.

				Assurance of available service options to enable participant choice and integration in the greater community	1	"One size home and one type of program does not fit all persons with disabilities."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
101	E-mail	Written	Family Pastor	Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	"she has flourished...company of friends...employment...sports and art activities...personalized home...."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
				Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	"Proven track record of success...care and love...finding appropriate employment...is unreasonable in a favorable employment climate, let alone the one...today"	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
102	E-mail	Written	Family of DD Participant	Assurance of available service options to enable participant choice and integration in the greater community	1	"Do not let Illinois become more restrictive in its definitions...Do not remove our choices."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
				Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	"...works in the recycling program....and the ..laundry...performs with a dance troupe at events throughout Chicago...Misericordia provides the best life possible for him."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.

103	E-mail	Written	Family of DD Participant	Assurance of available service options to enable participant choice and integration in the greater community	1	"Do not want the State to become more restrictive in its definition of home and community approved settings...denying further choice for the residents..."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
				Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	"...Increases choice for people with developmental disabilities...criteria to be outcome-oriented and based upon the person's quality of life experiences..."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
104	E-mail	Written	Provider	Process needs to be more defined regarding review of state statutes, policies and procedures to ensure compliance	7	"Rule 119 regulations promote a large facility based program...needs to be revised or re-written to make it more community-friendly...Separate transportation costs from funding...expectation that everyone ...receive Rule 50 training and background checks is not realistic..."	441.304(d) - (f)	State will utilize existing stakeholder groups to help review state statutes, policies and procedures to ensure compliance. Language in the Transition Plan has been added or modified to reflect these strategies.
				Provider reimbursement rates may be barriers to compliance with portions of the CMS regulations	10	"Eliminate the requirement to be in service for 240 days at a minimum of 5 hours per day. Current funding does not support that many hours..need a different funding model..."	42 CFR 430 Chapter VII, Section 202 of the Unfunded Mandates Reform Act of 1995 (March 22, 1995, Pub. L. 104-4) and Federal Register Vol. 79 No. 11 Part II, first column, second comment and CMS response.	The State recognizes the relationship between reimbursement and the provider's willingness and ability to provide additional service options as envisioned by the regulations. The State intends to comply with the Transition Plan, recognizing reimbursement may need to be addressed on a separate track. State reimbursement for services is subject to the appropriations of our General Assembly.
105	E-mail	Written	Parent of DD Participant	Comments or questions in support of the HCBS Settings Rules	2	"Comply with rules...exactly as Written...add no additional restrictions to our state's regulations on HCBS settings... additional restrictions will limit...choice...innovation...infrastructure development..."	N/A	No action to be taken.

				<b>Rules may not recognize the value of a particular setting in terms of impact and support to specific populations</b>	<b>11</b>	"Farmsteads are licensed regulated models that offer...an option to live a life highly connected with their broader community...Farmsteads are not large congregate facilities... participants shop, worship, work, travel, recreate bank and have fun in the broad community."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
<b>106</b>	<b>E-mail</b>	<b>Written</b>	<b>Parent of DD Participant</b>	<b>Assurance of available service options to enable participant choice and integration in the greater community</b>	<b>1</b>	"New initiatives should not be at the expense of existing services...options and choices should not be eliminated..."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
				<b>Rules may not recognize the value of a particular setting in terms of impact and support to specific populations</b>	<b>11</b>	"enjoy meaningful daily activities...interactions with peers...(if) categorized as 'employable' ..must be competitively employed in the marketplace... (means) ...in many cases, these residents will spend their days literally doing nothing..."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
<b>107</b>	<b>E-mail</b>	<b>Written</b>	<b>Family of DD Participant</b>	<b>Assurance of available service options to enable participant choice and integration in the greater community</b>	<b>1</b>	"Individuals with disabilities have the right to multiple choices of workplaces...must have an array of choices for support options, settings and opportunities for the changing needs of their lifespan."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.

				Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	"ICF-DD's are a perfectly fine choice and they are not institutions. They are homes. They work..." The campus is a community in the best sense of the word..."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
108	E-mail	Written	Family of DD Participant	Assurance of available service options to enable participant choice and integration in the greater community	1	Choose to participate in activities...meaningful jobs...full gym...therapy pool...exhibited artwork at the Art Institute of Chicago...People with disabilities deserve a full array of choices..."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
				Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	The women in my sister's home are friends...a second family with whom she shares her life...share meals, go out to movies together..enjoy community events...full life...opportunities she would never be able to find living independently..	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
109	E-mail	Written	Parent of DD Participant	Assurance of available service options to enable participant choice and integration in the greater community	1	"...continuum of care...optimum living and learning arrangements...current choices should not be restricted or compromised by new regulations..."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.

				Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	"...Misericordia, which is nationally recognized as a 'model' for providing successful, effective and compassionate homes for the developmentally disabled.."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
110	E-mail	Written	Parent of DD Participant	Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	"...opportunity to participate in sports, choir, dances, outings...has a minimum wage job (outside the community) 3 hours a day, five days a week..without Misericordia...he would be living in the community, but sitting in front of a television all day...Big is not always bad. Well run big is a big advantage!"	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
111	E-mail	Written	Parent of DD Participant	Assurance of available service options to enable participant choice and integration in the greater community	1	"People with disabilities should have a choice of how and where they live...friendships, exercise activities...creative expression through art, cooking, cleaning...social activities..."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
				Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	"Our daughter lives in an 'ICF-DD'. It is fantastic for her. It is NOT an institution. It is her home...She enjoys a meaningful life because she is fortunate to be an active resident at Misericordia..."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
112	E-mail	Written	Parent of DD Participant	Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	"son...has lived at Misericordia for 38 years...love...family life (in the CILA), array of residential chores, exercise classes/therapies, fitness and health guidance and social and recreational activities...environment of love, support, encouragement, guidance, dignity and respect."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.

113	E-mail	Written	Parent of DD Participant	Assurance of available service options to enable participant choice and integration in the greater community	1	"to become more restrictive in its definition of 'home and community' approved settings which...will have the impact of denying further choice for the residents....annual staffing plan at Misericordia which sets forth his choices for the year...this optimizes his life experiences..."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
				Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	"We want campus settings like the one we have at Misericordia to be considered to be appropriate to meet HCBS criteria...Residents have established relationships and connections to their internal and external communities which should be encouraged and protected."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
114	E-mail	Written	Advocate	Comments or questions in support of the HCBS Settings Rules	2	"Equip for Equality is extremely supportive of these concepts (extensive participant involvement and choice and...real opportunities for community integration..."	N/A	No action to be taken.
				Process needs to be strengthened in relationship to self-administered provider surveys and inclusion of participants and their Plans of Care	8	"As the state revises its plan...additional formal comment periods to receive input are essential...surveys did not include any stakeholder input...cannot rely on surveys of service providers alone...must consult with actual recipients of these services, as well as advocates...(surveys) should not be the sole basis for determining whether a site gets a site visit...supplement the survey results with a survey sent to recipients of services...Consider those results when determining compliance with the new HCBS rules..."	441.304(d) - (f)	State intends to establish consumer focus groups during validation site visits and review a sample of the participant's Plans of Care. State plans to establish three levels of validation of provider survey results including visiting providers that demonstrated a high level of compliance. Validation site visits will be conducted by an independent third party. Review of Plans of Care will aid in current and future development of Participant Plans of Care, but also may influence state statutes, policies and procedures. Language in the Transition Plan has been added or modified to reflect these strategies.

				<b>General Comment Regarding Statewide Transition Plan and Processes</b>	<b>14</b>	"Plan is replete with vague, qualifying phrases...underdeveloped...difficult to comment on how it will impact individuals receiving HCBS...It is critical that stakeholder input be considered at each step....On-site focus groups should be held at every location...Include stakeholders such as an individual or a family member as part of the multi-disciplinary team conducting site visits...The State should increase the number of providers it will randomly sample from 2%...to at least 30%...There is no mention of ensuring that (those who will be relocated) will be relocated to the most integrated setting appropriate to the individual's needs...The Plan should be revised or explicitly include this requirement...The plan makes no mention of ...opportunities to work in competitive settings or how Illinois will ensure that those opportunities are ...increased. Illinois must commit...in the Plan to increasing these opportunities...The Plan should explain how the State will determine whether specific language (in the statutes, policies and procedures) is in compliance...and include stakeholders in this process..."	I (a), paragraph 5	Illinois is required to meet the expectations of federal CMS in regards to the implementation of HCBS settings. Language in the Transition Plan has been added or modified to reflect these strategies.
				<b>Timeframes identified in Statewide Transition Plan may not be realistic.</b>	<b>13</b>	Much of the (assessments of ongoing compliance) should be developed prior to (January, 2018), particularly the incorporation of person-centered planning requirements..."	441.301(c)(6)(B)	State plans to work with legal and policy representatives that represent all nine (9) of the HCBS Waivers to ensure process moves forward at a timely pace. Timeframes indicated in Transition Plan will continuously be reviewed.
				<b>General comment or concern about the quality of a program and/or choice options</b>	<b>5</b>	"One particular area in which Illinois is lacking is non-disability specific settings where housing is available separate from the services offered there...ensure that individuals have a true choice of where to live...Another issue is the bundling of services and housing....Individuals should easily be able to obtain housing from one provider and services from another."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.

				<b>Process needs to be strengthened in State oversight of HCBS Providers to ensure compliance</b>	9	"Ongoing Compliance" section of the...Plan...lacks detail...State must design a process that can be readily and easily accessed and understood by individuals with disabilities to ensure that individual's goals are incorporated into their services and fulfilled....Modifying...a template in the annual review is unlikely to result in the shift necessary to fully comply with the new rules...(and) the person-centered planning requirements. The State must make a much stronger commitment to helping service providers modify their practices to comply with these requirements."	441.302	Over the next four years, all new and renewed waivers will be reviewed with a sensitivity to assure waiver assurances and performance measures comport with the HCBS rules. Language in the Transition Plan has been added or modified to reflect these strategies.
115	E-mail	Written	Parent of DD Participant	<b>Rules may not recognize the value of a particular setting in terms of impact and support to specific populations</b>	11	"The Misericordia campus is very much like a small college campus, providing not only educational and work opportunities, but also social and spiritual experiences for all residents...allows for a healthy feeling of community...a sense of well-being and acceptance of those living on and off campus in the CLA's ...the campus serves to enhance the very independent lives in the community in the houses they call home and that they love.."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
116	E-mail	Written	Parent of DD Participant	<b>Assurance of available service options to enable participant choice and integration in the greater community</b>	1	"...do not...become more restrictive in (the State's) definition of 'home and community' approved settings... which...will have the impact of denying further choice for the residents...annual staffing plan...sets forth her choices for the year...optimizes her life experiences..."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
				<b>Rules may not recognize the value of a particular setting in terms of impact and support to specific populations</b>	11	"...Campus settings like the one we have at Misericordia...contribute to the continuum of choice...to all residents...XXX absolutely loves her life at Mis..My family considers everyone at Mis as our extended family...Misericordia has a future and we do not want the government threatening that future..."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.

117	E-mail	Written	Parent of DD Participant	Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	"For disabled individuals like my daughter, happiness is what is most important...Regulations...are worthless unless they work to ensure the happiness of those they seek to protect...she is very happy living in a 7-person CILA...at Misericordia	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
				Provider reimbursement rates may be barriers to compliance with portions of the CMS regulations	10	"There are not enough CILA's being developed in Illinois due to inadequate funding."	42 CFR 430 Chapter VII, Section 202 of the Unfunded Mandates Reform Act of 1195 (March 22, 1995, Pub, L. 104-4) and Federal Register Vol. 79 No. 11 Part II, first column, second comment and CMS response.	The State recognizes the relationship between reimbursement and the provider's willingness and ability to provide additional service options as envisioned by the regulations. The State intends to comply with the Transition Plan, recognizing reimbursement may need to be addressed on a separate track. State reimbursement for services is subject to the appropriations of our General Assembly.
				Assurance of available service options to enable participant choice and integration in the greater community	1	"In seeking to expand employment, existing campus opportunities should not be sacrificed...Individuals with disabilities have the right to multiple choices of workplaces..."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
118	E-mail	Written	Parent of DD Participant	Assurance of available service options to enable participant choice and integration in the greater community	1	"As protected by the ADA, DD Bill of Rights and the Olmstead Decision, individuals have the human right and the civil right to be supported in a setting of <b>their choice</b> and not forced into choosing from a more limited set of options..."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.

119	E-mail	Written	Parent of DD Participant	Assurance of available service options to enable participant choice and integration in the greater community	1	"...in many respects, Misericordia has always practiced Person Centered Planning...we discuss in depth (annually) her progress over the year and work with her to set goals...based on Betsy's interests, choices and aspirations with input from our family and the professionals she engages with..."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
120	E-mail	Written	Family of DD Participant	Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	"...sister lives in a wonderful, supportive Misericordia CILA...is thriving in her current situation...the meaningful, satisfying fulfilling work which XXX does on campus...should not be taken away. That campus is a community where she and many others have rich friendships and relational opportunities..."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
121	E-mail	Written	Parent of DD Participant	Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	"...son has lived at Misericordia ...for two years...has made many friends...has encouragement and support from...staff...participates in social activities on the campus, as well as in the community with his housemates. He has an active and meaningful life. In his own words, "Misericordia is the greatest place on earth!"...While community-based recreation and leisure activities are important...we have found that our family members are not always welcomed in the community. Being physically present in the community doesn't always make them an accepted part of the community. That's why social and leisure activities on Misericordia's campus are such an important part of our family members' lives. They are accepted and appreciated for who they are..."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.

				<b>Assurance of available service options to enable participant choice and integration in the greater community</b>	<b>1</b>	"He works four hours weekly at a restaurant (in the community)....We have found that jobs for our son have been difficult to find...One employer was able to give him two short shifts which he can work successfully. The rest of his time is spent on ...campus engaged in work and day programming activities.	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
<b>122</b>	<b>E-mail</b>	<b>Written</b>	<b>Parent of DD Participant</b>	<b>Rules may not recognize the value of a particular setting in terms of impact and support to specific populations</b>	<b>11</b>	"recently became a resident in a CILA ...she had a job in a theater for ten years...but was only able to work 12 hours a week. Now, because of the astonishing facilities at Misericordia, she is able to have two other part-time jobs that keep her days busy and productive...Perhaps you do not realize how the world of a disabled person shrinks when he or she leaves school...for people of limited communication skills, maintaining connections is almost impossible....(the CILA) provides her with the social contact which enriches her life...She goes out to dinner, to the movies, ...apple-picking...If people are happy, busy and productive, why would you try to change that?"	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
<b>123</b>	<b>E-mail</b>	<b>Written</b>	<b>DD Provider</b>	<b>Assurance of available service options to enable participant choice and integration in the greater community</b>	<b>1</b>	"Individuals must have personal choice in their care and in residential options. There should not be a one size fits all philosophy regarding services for individuals with developmental disabilities."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.

				<b>Comments or questions in support of the HCBS Settings Rules</b>	<b>2</b>	"It is unfortunate that our federal government initially defined community in terms of the setting. The final rules issued in January changed by defining community based on the nature and quality of the individual's experience. If that is truly the case, then the definition of community is driven by the individuals themselves and by their families/guardians."	N/A	No action to be taken.
				<b>Process needs to be strengthened in relationship to self-administered provider surveys and inclusion of participants and their Plans of Care</b>	<b>8</b>	"Illinois did not survey the consumers or the consumers' families on their experiences in the current settings. Illinois should collect this data. The focus should be on the quality of life and not the physical characteristics of the setting...State should...begin asking individuals what they want both residentially and for day programs. The State should not be asking the advocates who believe there is only one way and it is their way and not necessarily the individual's choice."	441.304(d) - (f)	State intends to establish consumer focus groups during validation site visits and review a sample of the participant's Plans of Care. State plans to establish three levels of validation of provider survey results including visiting providers that demonstrated a high level of compliance. Validation site visits will be conducted by an independent third party. Review of Plans of Care will aid in current and future development of Participant Plans of Care, but also may influence state statutes, policies and procedures. Language in the Transition Plan has been added or modified to reflect these strategies.
				<b>Rules may not recognize the value of a particular setting in terms of impact and support to specific populations</b>	<b>11</b>	"The State must offer a range of choices. A house in the community can be even more isolating than a setting in which intentional community is provided. Many of these types of communities are very involved in the community and the community is involved with them. Integration within the community should not be assessed by an individual's presence in the community, but by their relational presence with community members."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.

124	E-mail	Written	Family of DD Participant	Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	"Billy lives at the Misericordia Moore House...a home where he can thrive...a community where each individual's unique personality and abilities have transformed into shared responsibility and fellowship...Moore House is a success story, what a CILA house should be...These wonderful people will suffer real loss if sudden change comes in the form of new policy."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
125	E-mail	Written	Family of DD Participant	Assurance of available service options to enable participant choice and integration in the greater community	1	"Each person should have the choice whether to seek integration into the community through the competitive work force or through opportunities that are offered by a home such as Misericordia."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
				Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	"The definition of 'home' and 'community' should not be based on physical characteristics, but on the quality of life of the residents...The HCBS criteria and assessments should be based on outcome, results and personal choice, not bureaucratic definitions...My brother's life at Misericordia is part of a community that allows him to live in a comfortable home with his peers....An ICF-DD is his home that works for him...It is not an institution, but a loving, working environment..."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site visits to validate and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.

126	E-mail	Written	Parent of DD Participant	Assurance of available service options to enable participant choice and integration in the greater community	1	"We do not want the State to become more restrictive in its definition of home and community based approved settings which would deny choices for our residents...Misericordia provides a continuum of choice for all residents	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
				Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	"Misericordia's loving environments encourage Godly respect for one another, love and concern...Something our city, state, country and world should emulate and embrace."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
127	E-mail	Written	Provider	Timeframes identified in Statewide Transition Plan may not be realistic.	13	"The target dates of 2017 for reviewing and revising regulatory policies will allow only a two year transition for providers to implement the changes and come into compliance...providers will not have adequate time to change their service models in order to meet the definitions put forth in the HCBS rule."	441.301(c)(6)(B)	State plans to work with legal and policy representatives that represent all nine (9) of the HCBS Waivers to ensure process moves forward at a timely pace. Timeframes indicated in Transition Plan will continuously be reviewed.

				<b>Specific concern that implementation of Transition Plan could add additional burden to provider and responsible parties</b>	12	"..in southern and southwestern Illinois, opportunities for employment are few...the unemployment rate for non-disabled workers is high...>Employers are not willing to make exceptions for employees who cannot complete the entire job they are hiring for. Supported Employment and Community Placements providers have difficulty getting placements for individuals with disabilities, but an even more difficult time assisting them in maintaining that employment opportunity."	42 CFR 430 Chapter VIII. Section 202 of the Unfunded Mandates Reform Act of 1195 (March 22, 1995, Pub. L. 104-4)	State will utilize existing stakeholder groups to help review state statutes, policies and procedures to ensure compliance. HCBS Rules are in effect and state is responsible for their implementation. Language in the Transition Plan has been added or modified to reflect these strategies.
				<b>Assurance of available service options to enable participant choice and integration in the greater community</b>	1	There are many opinions...regarding what is considered isolating and what is considered opportunity. It is my hope that Illinois is not going to become an all or nothing state in regards to service opportunities for individuals...Employment First is a noble and achievable goal...Employment Only is not an achievable or realistic goal for all providers and individuals. I hope that Illinois will ensure that all service models are allowed the opportunity to continue to provide services making the changes to ensure that opportunities for community integration and employment are offered.	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
				<b>Process needs to be more defined regarding review of state statutes, policies and procedures to ensure compliance</b>	7	"Please make the expectations on community integration, as well as how those opportunities are documented, clear and concise for providers...needs to be an explanation of Conflict Free Case Management...This becomes tricky when there is no residential provider and the day program becomes the responsible party for developing the plan and implementing it. Please ensure that conflict free case management is explained and made reasonable...needs to be clarification regarding the fact that ICF/DD homes are not found to be HCBS compliant. How does that impact the individuals who reside in the ICF/DD home but attend a DHS funded day program? If	441.304(d) - (f)	State will utilize existing stakeholder groups to help review state statutes, policies and procedures to ensure compliance. Language in the Transition Plan has been added or modified to reflect these strategies.

						<p>their residential setting is found out of HCBS compliance then do so that make them ineligible for day services that are HCBS funded? These questions must be answered so providers and individuals can make informed choices..."</p>		
				<p><b>Provider reimbursement rates may be barriers to compliance with portions of the CMS regulations</b></p>	10	<p>In order for programs to be capable of moving individuals forward into community integration and community employment a very significant change in the way these services are funded must be implemented. The staff to client ratio must be significantly smaller...The current developmental training ratio formulas will not provide the financial support in order to ensure adequate staff are available to support individuals in their goals to be employed in the community. There must be significantly increased funding for supported employment programming and transitional programming to support the increased mandates and expectations from the federal and eventually the state level."</p>	<p>42 CFR 430 Chapter VII, Section 202 of the Unfunded Mandates Reform Act of 1195 (March 22, 1995, Pub, L. 104-4) and Federal Register Vol. 79 No. 11 Part II, first column, second comment and CMS response.</p>	<p>The State recognizes the relationship between reimbursement and the provider's willingness and ability to provide additional service options as envisioned by the regulations. The State intends to comply with the Transition Plan, recognizing reimbursement may need to be addressed on a separate track. State reimbursement for services is subject to the appropriations of our General Assembly.</p>

128	E-mail	Written	Parent of DD Participant	Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	<p>My daughter Shea has a full life in a lovely house, with several women. They are as close as if they were sisters. Shea is employed at a Catholic School, but benefits from Misericordia's campus setting and employment opportunities when school is off for summer and various holidays. Furthermore, as you may know many residents / disabled adults are unable to work a 40 hour a week job, even if they could find them, because it would jeopardize their Social Security funding.</p> <p>My friends with children in CILAs without campus support spend a lot of time in front of a TV and are unemployed due to lack of infrastructure to get residents to multiple job sites and community programs. How is that enabling community integration and choice? Misericordia's CILAs are a working and wonderfully implemented example of community integration with the NECESSARY supports provided by a campus setting.</p>	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
129	E-mail	Written	Participant	Comments or questions regarding issues not related to Transition Plan	3	I have autism. I composed this E-mail because I want to receive Medicaid waiver funding, and I would like for the ones who are already receiving it to continue. We need all the benefits that we can receive in order for us to live better lives.	N/A	These represent questions or comments that do not appear to relate to HCBS settings rules and are not being addressed in the Transition Plan.
130	E-mail	Written	Parent of DD Participant	Assurance of available service options to enable participant choice and integration in the greater community	1	The key term in the description of what is sought is "opportunity. The danger is that overly restrictive regulations can result in a decrease in "opportunity."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.

				Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	<p><u>Employment opportunities.</u> The criteria for judging what a desirable work experience is is not where it is located but what it entails. I volunteer in a bakery (at Misericordia Home) where many individuals from group homes work. Some have jobs in the private sector and come to the bakery to round out their work week. Others require a far greater level of support than the private sector is prepared to provide. And we have been able to help some of these individuals grow their work skills so they graduated to jobs in the private sector. But just as importantly, when one of our workers comes to the job, she or he finds a mixture of other group home residents, professional bakers and many volunteers who create a work experience comparable to and in many cases superior to the work experience in the private sector. To take away this opportunity simply because the bakery exists on the campus of Misericordia Home rather than in a building four blocks away is a simple criteria to enforce but is arbitrary and is a disservice to those it is supposed to assist.</p>	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
131	E-mail	Written	Family	Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	<p>"We appeal to you that these Colas and Misericordia are able to continue to run just as they are. I would appreciate any information you might have regarding this subject"</p>	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site visits to validate and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.

132	E-mail	Written	Family	Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	"We would like to stress that it is important that Illinois not become more restrictive on its definitions of HCBS settings."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
133	Rockford	Oral	Family	General comment or question regarding HCBS settings rules and need to be addressed through continuing education	6	"It is very confusing and it's almost like we have this menu of things that look really nice and we want but we can't order from it. It seems like as far as group homes things like that that "are near our homes that we would find acceptable to put our children in doesn't seem we have the numbers to accommodate that so I think it's great to have this outline of where we want to go but I am having trouble seeing how to get there in the next few years with him	441.730(c)	Continued education is needed at all levels of Transition Plan implementation and will be a key component as we include stakeholders in review of state statutes, policies and procedures and at site visits. Language in the Transition Plan has been added or modified to reflect these strategies.
				Provider reimbursement rates may be barriers to compliance with portions of the CMS regulations	10	"I'm not really understanding how we are going to get there in 4 years especially with funding issues our state has"	42 CFR 430 Chapter VII, Section 202 of the Unfunded Mandates Reform Act of 1195 (March 22, 1995, Pub. L. 104-4) and Federal Register Vol. 79 No. 11 Part II, first column, second comment and CMS response.	The State recognizes the relationship between reimbursement and the provider's willingness and ability to provide additional service options as envisioned by the regulations. The State intends to comply with the Transition Plan, recognizing reimbursement may need to be addressed on a separate track. State reimbursement for services is subject to the appropriations of our General Assembly.
134	Rockford	Oral	Family	Comments or questions regarding issues not related to Transition Plan	3	"And I think one of the conditions of the Ligas is you have to let us know where we are on the waiting list. Where are we? It's like we're standing in limbo. Where do we stand? Are we "2 million or only at 100 thousand. I'm just being funny and I know it is not funny but we want to know where we are and that's part of Ligas and that's something I want to look at too. So I can get your email and if I can find out who to call to find out where you are on PUNS."	N/A	These represent questions or comments that do not appear to relate to HCBS settings rules and are not being addressed in the Transition Plan.

135	Frankfort	Oral	Family	Assurance of available service options to enable participant choice and integration in the greater community	1	"They have to be able to do what they want to do. A program is someplace you go, a service is something you get. And everybody says there's no program like that. That's right and I don't want there to be. I want it to be a service. I want my kids to have access to the community at large like everyone else does. In order to get them there you have to be able to pay for things and they have to have that freedom."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
				General comment or concern about the quality of a program and/or choice options	5	) They have to be able to do what they want to do. A program is someplace you go, a service is something you get. And everybody says there's no program like that. That's right and I don't want there to be. I want it to be a service. I want my kids to have access to the community at large like everyone else does. In order to get them there you have to be able to pay for things and they have to have that freedom.	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
136	Frankfort	Oral	Family	General comment or concern about the quality of a program and/or choice options	5	" I just wanted to say there needs to be some flexibility. In other words, it shouldn't be the same thing every day. They need to go out into the community. There are varied experiences out in the community. If not Monday we go and sit down and do puzzles and Tuesday we go and sit down and stack some blocks or something. It needs to be something that is relevant and it needs to be something that is varied and needs to be flexible."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.

137	Frankfort	Oral	Family	Process needs to be strengthened in relationship to self-administered provider surveys and inclusion of participants and their Plans of Care	8	"The plan does survey providers but I didn't see anything in the plan to survey where there was a plan to survey consumers or individuals who receive these services. I was wondering if that was going to ultimately be part of the plan because this is a plan to plan. And not just sites that will be visited but individuals who are receiving services and possibly randomly sampling caregivers, parents and guardians."	441.304(d) - (f)	State intends to establish consumer focus groups during validation site visits and review a sample of the participant's Plans of Care. State plans to establish three levels of validation of provider survey results including visiting providers that demonstrated a high level of compliance. Validation site visits will be conducted by an independent third party. Review of Plans of Care will aid in current and future development of Participant Plans of Care, but also may influence state statutes, policies and procedures. Language in the Transition Plan has been added or modified to reflect these strategies.
				General comment or concern about the quality of a program and/or choice options	5	"My second comment, it does seem to be a natural assumption or that its part of the assumption that Day Training is part of the package. In my own personal experience, it was very, very difficult to find a provider and then work with a provider that will allow my daughter her current day. In other words, she is an adult, she has an established day but predominantly the overriding thought and I am not provider bashing but the overriding message and what we experienced was Day Training is what we do. So I guess I'm trying to tell you is there is really not a lot of choice."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
138	Frankfort	Written	Family and Advocate	Provider reimbursement rates may be barriers to compliance with portions of the CMS regulations	10	"I am concerned because right now I have talked to several providers to get services for my daughter and this isn't against a provider but we have gone through all the things we need to serve her but the bottom line is the state does not provide an adequate rate to meet the needs of my daughter"	42 CFR 430 Chapter VII, Section 202 of the Unfunded Mandates Reform Act of 1195 (March 22, 1995, Pub, L. 104-4) and Federal Register Vol. 79 No. 11 Part II, first column, second comment and CMS response.	The State recognizes the relationship between reimbursement and the provider's willingness and ability to provide additional service options as envisioned by the regulations. The State intends to comply with the Transition Plan, recognizing reimbursement may need to be addressed on a separate track. State reimbursement for services is subject to the appropriations of our General Assembly.

139	Frankfort	Oral	Unknown	<b>Assurance of available service options to enable participant choice and integration in the greater community</b>	1	"I would like to say something that sort of disagrees a little bit with what you were talking about earlier about people talking about the services that are needed. I think it does directly tie in and I don't know how you separate it because if you don't have those service options we can't meet the rules in some ways. So if we don't have the services that allow individual supports in settings outside of CILAs and 24 hours CILAs is the only choice you have, how do you make that more in the community? "	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
140	Frankfort	Oral	Family and Advocate	<b>General comment or concern about the quality of a program and/or choice options</b>	5	"they talk about in the CMS rules like privacy having her how room is very huge to her. And quite honestly I never knew was important to her " " Having her own room is something so basic to her and it's something I have already had a certain amount of static about from providers" " I have received phone calls stating they are considering her having a roommate and I asked why and the reason was there was someone they were already serving who do very well"	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
141	Frankfort	Oral	Provider	<b>Process needs to be strengthened in relationship to self-administered provider surveys and inclusion of participants and their Plans of Care</b>	8	"I thought I would share a few thoughts as a provider. I completed the self-assessment surveys for our organization and I wanted to do that because I really wanted to feel what that process was and to get to better understand it. So I completed the surveys on behalf of for over 40 properties that we operate programs in as well as the administrative surveys. For folks that didn't complete they are very detailed, asked a lot of specific questions. You never once ever said do you think you are in compliance or not in compliance that was referred by the responses."	441.304(d) - (f)	State intends to establish consumer focus groups during validation site visits and review a sample of the participant's Plans of Care. State plans to establish three levels of validation of provider survey results including visiting providers that demonstrated a high level of compliance. Validation site visits will be conducted by an independent third party. Review of Plans of Care will aid in current and future development of Participant Plans of Care, but also may influence state statutes, policies and procedures. Language in the Transition Plan has been added or modified to reflect these strategies.

				<b>Process needs to be strengthened in State oversight of HCBS Providers to ensure compliance</b>	9	"I think obviously the Transition Plan has to address the resources that are going to be required to bring the system into compliance with the new definition." "Most organizations that I know of feel that we are very far away from compliance within the definition"	441.302	Over the next four years, all new and renewed waivers will be reviewed with a sensitivity to assure waiver assurances and performance measures comport with the HCBS rules. Language in the Transition Plan has been added or modified to reflect these strategies.
142	Frankfort	Oral	Family	<b>Assurance of available service options to enable participant choice and integration in the greater community</b>	1	"you can talk person-centered language but if you don't change your paradigms and start thinking person-centered again it's just language and not changing the program"	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
				<b>Provider reimbursement rates may be barriers to compliance with portions of the CMS regulations</b>	10	"the red flags that go up for our individuals is the under met needs for the rates Illinois has not adjusted their rates for providers. The State of Illinois has such a difficult time, first thing that gets cut is the Department of Human Services budget"	42 CFR 430 Chapter VII, Section 202 of the Unfunded Mandates Reform Act of 1195 (March 22, 1995, Pub. L. 104-4) and Federal Register Vol. 79 No. 11 Part II, first column, second comment and CMS response.	The State recognizes the relationship between reimbursement and the provider's willingness and ability to provide additional service options as envisioned by the regulations. The State intends to comply with the Transition Plan, recognizing reimbursement may need to be addressed on a separate track. State reimbursement for services is subject to the appropriations of our General Assembly.
143	Frankfort	Oral	Advocate	<b>General Comment Regarding Statewide Transition Plan and Processes</b>	14	"how will this transition affect the Latino community? What is the plan for communication or lack of communication with that population? A lot of families still aren't aware of the PUNS and I try to get the word out."	I (a), paragraph 5	Illinois is required to meet the expectations of federal CMS in regards to the implementation of HCBS settings. Language in the Transition Plan has been added or modified to reflect these strategies.
144	UIC	Oral	Participant	<b>General comment or concern about the quality of a program and/or choice options</b>	5	"It's all about consumer control and in a group home, I'm here to tell you, you don't get that. I don't care what the statistics say, you don't get that, and I hear that from a lot of other consumers and colleagues that I work with regarding group homes."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.

145	UIC	Oral	Participant	General Comment Regarding Statewide Transition Plan and Processes	14	"How many people who are disabled are going to help you write the Transition Plan? We would like to help you write it because we know better than the state how to write a plan"	I (a), paragraph 5	Illinois is required to meet the expectations of federal CMS in regards to the implementation of HCBS settings. Language in the Transition Plan has been added or modified to reflect these strategies.
146	UIC	Oral	Provider	Assurance of available service options to enable participant choice and integration in the greater community	1	"do not overlook the continuation of support services that are critical for those individuals who continue to live in the community in an integrated setting....To prevent hospitalization and institutionalization you need to provide the individual with supports."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
147	UIC	Oral	Participant	Assurance of available service options to enable participant choice and integration in the greater community	1	"Caseworkers... they are like brand new people each time I meet them because it's too short of a time for me to get to know them. And now I have so many people come into my house.....what I can't do without having to re-teach people all the time all my capabilities"	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
148	UIC	Oral	Family	General Comment Regarding Statewide Transition Plan and Processes	14	"People get their long term care services through the Manage Care organizations so that needs to be a part of the Transition Plan"	I (a), paragraph 5	Illinois is required to meet the expectations of federal CMS in regards to the implementation of HCBS settings. Language in the Transition Plan has been added or modified to reflect these strategies.
149	UIC	Oral	Agency	Assurance of available service options to enable participant choice and integration in the greater community	1	"find ways to develop a program that giving new funding and community access to deaf and blind people..... We have found some barriers because the plan doesn't recognize the issues of mobility and community access for their clients. It focuses on physical challenges"	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.

150	UIC	Oral	Participant	General Comment Regarding Statewide Transition Plan and Processes	14	"make sure employment is at the forefront"	I (a), paragraph 5	Illinois is required to meet the expectations of federal CMS in regards to the implementation of HCBS settings. Language in the Transition Plan has been added or modified to reflect these strategies.
				Assurance of available service options to enable participant choice and integration in the greater community	1	. My life happens outside of my home and what do I do when for the 12 hours I'm outside of my home? I'm out going to school, I'm out looking for a job but I still need assistance during the middle day and that is not being addressed because they are saying the services have to be in the home	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
151	UIC	Oral	Agency	Comments or questions in support of the HCBS Settings Rules	2	We support the overall direction of the Federal Rules on employment opportunity	N/A	No action to be taken.
				Assurance of available service options to enable participant choice and integration in the greater community	1	"Too often people with disabilities get treated as children instead of the adults they are with rights that they need to have respected..... Service plans and evaluations need to reflect the desires of consumers to live active lives in the community. Most people do not want to spend all their time at home. They need community and the community needs them"	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
				Comments or questions in support of the HCBS Settings Rules	2	"We hope that the state pays attention to the goals of a balanced system as described by CMS that is person driven, inclusive, effective, coordinated, transparent and culturally competent"	N/A	No action to be taken.
152	UIC	Oral	Advocate	Comments or questions in support of the HCBS Settings Rules	2	"we are very pleased to see the state plans to incorporate consumer and family feedback as part of the state site visit process to determine an HCBS program's compliance with the settings rule"	N/A	No action to be taken.

				<b>General comment or question regarding HCBS settings rules and need to be addressed through continuing education</b>	6	we support the State's plan to deliver consistent training curriculum to ensure that waiver participants and families have accurate information about how these changes may affect them as well, to educate them on person-centered planning and how they can gain greater control on the direction of their Home and Community-Based waiver services.	441.730(c )	Continued education is needed at all levels of Transition Plan implementation and will be a key component as we include stakeholders in review of state statutes, policies and procedures and at site visits. Language in the Transition Plan has been added or modified to reflect these strategies.
153	UIC	Oral	Participant Self Advocate	<b>Process needs to be strengthened in relationship to self-administered provider surveys and inclusion of participants and their Plans of Care</b>	8	"Are you including people with disabilities in this plan to make these recommendations because it's about our lives? We should be at the table. When people are making plans for people's lives.....Who better to know that people with disabilities themselves?	441.304(d) - (f)	State intends to establish consumer focus groups during validation site visits and review a sample of the participant's Plans of Care. State plans to establish three levels of validation of provider survey results including visiting providers that demonstrated a high level of compliance. Validation site visits will be conducted by an independent third party. Review of Plans of Care will aid in current and future development of Participant Plans of Care, but also may influence state statutes, policies and procedures. Language in the Transition Plan has been added or modified to reflect these strategies.
				<b>Process needs to be strengthened in State oversight of HCBS Providers to ensure compliance</b>	9	"Is there any monitoring for people after they have this plan? Who is going to make sure that people are implementing this plan and making sure people really have choices?"	441.302	Over the next four years, all new and renewed waivers will be reviewed with a sensitivity to assure waiver assurances and performance measures comport with the HCBS rules. Language in the Transition Plan has been added or modified to reflect these strategies.
				<b>Provider reimbursement rates may be barriers to compliance with portions of the CMS regulations</b>	10	"They also needs to have some support people, some personal assistants have a good wage. Without that they can go and work somewhere else and make more money..."	42 CFR 430 Chapter VII, Section 202 of the Unfunded Mandates Reform Act of 1195 (March 22, 1995, Pub. L. 104-4) and Federal Register Vol. 79 No. 11 Part II, first column, second comment and CMS response.	The State recognizes the relationship between reimbursement and the provider's willingness and ability to provide additional service options as envisioned by the regulations. The State intends to comply with the Transition Plan, recognizing reimbursement may need to be addressed on a separate track. State reimbursement for services is subject to the appropriations of our General Assembly.

154	UIC	Oral	Parent of a DD Participant	Process needs to be more defined regarding review of state statutes, policies and procedures to ensure compliance	7	"If we are moving towards a more person-centered life a more community based life, a more integrated life, we really need to change some of these rules and regulations	441.304(d) - (f)	State will utilize existing stakeholder groups to help review state statutes, policies and procedures to ensure compliance. Language in the Transition Plan has been added or modified to reflect these strategies.
				Provider reimbursement rates may be barriers to compliance with portions of the CMS regulations	10	"I can't get paid for all the work I do for my daughter and that's ok for me but for a professional personal assistant that is not going to be ok/ My daughter ironically needs more support in the community than she does at home."	42 CFR 430 Chapter VIII. Section 202 of the Unfunded Mandates Reform Act of 1195 (March 22, 1995, Pub. L. 104-4)	The State recognizes the relationship between reimbursement and the provider's willingness and ability to provide additional service options as envisioned by the regulations. The State intends to comply with the Transition Plan, recognizing reimbursement may need to be addressed on a separate track. State reimbursement for services is subject to the appropriations of our General Assembly.
155	UIC	Oral	Provider	General Comment Regarding Statewide Transition Plan and Processes	14	"I would hope that any transition planning and consideration of changes to the waiver program will really take into account the need to offer that funding to a larger number of people who really need it."	I (a), paragraph 5	Illinois is required to meet the expectations of federal CMS in regards to the implementation of HCBS settings. Language in the Transition Plan has been added or modified to reflect these strategies.
156	UIC	Oral	Parent of a DD Participant	Current Service Options/Definitions need to be reviewed and/or expanded under existing HCBS waivers and align with CMS regulations	4	"I am a consultant dietician and I go into these ICFs and I think you need to define what food is. Because in your best facilities, food will be at a table and no problem but at your work facilities maybe they'll put out some crackers and you really need to spell out what food is."	441.304(d) - (f)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
157	Webinar	Written	SLF Provider	General comment or question regarding HCBS settings rules and need to be addressed through continuing education	6	"Are all SLF facilities affected by this?"	441.730(c)	Continued education is needed at all levels of Transition Plan implementation and will be a key component as we include stakeholders in review of state statutes, policies and procedures and at site visits. Language in the Transition Plan has been added or modified to reflect these strategies.
158	Webinar	Written	Association	General Comment Regarding Statewide Transition Plan and Processes	3	Are we getting a copy of this presentation?	N/A	These represent questions or comments that do not appear to relate to HCBS settings rules and are not being addressed in the Transition Plan.

159	Webinar	Written	State Staff	General Comment Regarding Statewide Transition Plan and Processes	3	"Can I get a copy of the slides?"	N/A	These represent questions or comments that do not appear to relate to HCBS settings rules and are not being addressed in the Transition Plan.
160	Webinar	Written	DD Provider	General Comment Regarding Statewide Transition Plan and Processes	14	"How can you discuss/explain the statement that "person-centered planning needs to be conducted in a manner free of conflict of interest?" HCBS providers cannot also perform case management services?"	I (a), paragraph 5	Illinois is required to meet the expectations of federal CMS in regards to the implementation of HCBS settings. Language in the Transition Plan has been added or modified to reflect these strategies.
161	Webinar	Written	DD Provider	General Comment Regarding Statewide Transition Plan and Processes	3	"Can you post a link to the Transition Plan?"	N/A	Illinois is required to meet the expectations of federal CMS in regards to the implementation of HCBS settings. Language in the Transition Plan has been added or modified to reflect these strategies.
162	Webinar	Written	Aging Provider	General Comment Regarding Statewide Transition Plan and Processes	3	"Did we receive a copy of the PowerPoint? Or may we get a copy?"	N/A	These represent questions or comments that do not appear to relate to HCBS settings rules and are not being addressed in the Transition Plan.
163	Webinar	Written	Service Facilitator	General Comment Regarding Statewide Transition Plan and Processes	14	"Service Facilitators do not have access and need access to Community Based Settings/Person-Centered Homes as they become available."	I (a), paragraph 5	Illinois is required to meet the expectations of federal CMS in regards to the implementation of HCBS settings. Language in the Transition Plan has been added or modified to reflect these strategies.
164	Webinar	Written	Provider	General comment or question regarding HCBS settings rules and need to be addressed through continuing education	6	"Does this mean that ICP/DD's sixteen beds are not community-based settings?"	441.730(c)	Continued education is needed at all levels of Transition Plan implementation and will be a key component as we include stakeholders in review of state statutes, policies and procedures and at site visits. Language in the Transition Plan has been added or modified to reflect these strategies.
165	Webinar	Written	Service Facilitator	General comment or question regarding HCBS settings rules and need to be addressed through continuing education	6	"How do the new HCBS rules apply to Service Facilitators working in Home-based services?"	441.730(c)	Continued education is needed at all levels of Transition Plan implementation and will be a key component as we include stakeholders in review of state statutes, policies and procedures and at site visits. Language in the Transition Plan has been added or modified to reflect these strategies.

166	Webinar	Written	DD Provider	General comment or question regarding HCBS settings rules and need to be addressed through continuing education	6	"How should the agency address situations (i.e. access to keys to room doors) in which an individual has a guardian"?	441.730(c )	Continued education is needed at all levels of Transition Plan implementation and will be a key component as we include stakeholders in review of state statutes, policies and procedures and at site visits. Language in the Transition Plan has been added or modified to reflect these strategies.
167	Webinar	Written	State Staff	Comments or questions regarding issues not related to Transition Plan	3	"I came on late, so I'm sorry if you have already addressed this. "Is the PowerPoint available to us"?	N/A	These represent questions or comments that do not appear to relate to HCBS settings rules and are not being addressed in the Transition Plan.
168	Webinar	Written	Advocate Agency	Comments or questions regarding issues not related to Transition Plan	3	"I hear a Perkins Braille".	N/A	These represent questions or comments that do not appear to relate to HCBS settings rules and are not being addressed in the Transition Plan.
169	Webinar	Written	Advocacy Association	Current Service Options/Definitions need to be reviewed and/or expanded under existing HCBS waivers and align with CMS regulations	4	"I realize that we all mean slightly different nuances when we say Person-Centered Planning...I would like to hear more about what exactly we mean when we say PCP, to make sure we are all in alignment on the basics".	441.304(d) - (f)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available and the definitions of these services comport with the rules. Language in the Transition Plan has been added or modified to reflect these strategies.
170	Webinar	Written	Healthcare Consulting Firm	Process needs to be more defined regarding review of state statutes, policies and procedures to ensure compliance	7	I understand that the 1915C waivers must reflect compliance with the rules when they are submitted or at renewal. Can you please explain what regulatory or legislative change must be in place"?	441.304(d) - (f)	State will utilize existing stakeholder groups to help review state statutes, policies and procedures to ensure compliance. Language in the Transition Plan has been added or modified to reflect these strategies.
171	Webinar	Written	Provider	General comment or question regarding HCBS settings rules and need to be addressed through continuing education	6	"Is a Supportive Living Facility (SLF) part of this"?	441.730(c )	Continued education is needed at all levels of Transition Plan implementation and will be a key component as we include stakeholders in review of state statutes, policies and procedures and at site visits. Language in the Transition Plan has been added or modified to reflect these strategies.

172	Webinar	Written	Provider	General comment or question regarding HCBS settings rules and need to be addressed through continuing education	6	"Is the transition plan just required when someone is moving from one setting to another"?	441.730(c )	Continued education is needed at all levels of Transition Plan implementation and will be a key component as we include stakeholders in review of state statutes, policies and procedures and at site visits. Language in the Transition Plan has been added or modified to reflect these strategies.
173	Webinar	Written	Provider	General comment or question regarding HCBS settings rules and need to be addressed through continuing education	4	"Please Consider the current role of Service Facilitation in the DD/HBSS waivers as they are critical to the supports these individuals receive...Will the menu of services covered by the waiver change as part of this plan? I am specifically referring to the DD Waiver Program"	441.304(d) - (f)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available and the definitions of these services comport with the rules. Language in the Transition Plan has been added or modified to reflect these strategies.
174	Webinar	Written	DD Provider	Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	"Please define heightened scrutiny - what does that mean in terms of how frequently during a one year period can either the state or Feds come in and survey an agency".	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
175	Webinar	Written	Advocacy Agency	General comment or question regarding HCBS settings rules and need to be addressed through continuing education	6	"Will this transition plan affect ICF/DD housing? If so, how? Also, how will it affect Day Training Programs?"	441.730(c )	Continued education is needed at all levels of Transition Plan implementation and will be a key component as we include stakeholders in review of state statutes, policies and procedures and at site visits. Language in the Transition Plan has been added or modified to reflect these strategies.
176	Webinar	Written	Provider	General comment or question regarding HCBS settings rules and need to be addressed through continuing education	6	"What about Home Based Service Facilitation? How will it differ from BQM, DHS and IDPH site visits?"	441.730(c )	Continued education is needed at all levels of Transition Plan implementation and will be a key component as we include stakeholders in review of state statutes, policies and procedures and at site visits. Language in the Transition Plan has been added or modified to reflect these strategies.

177	Webinar	Written	Provider	Comments or questions regarding issues not related to Transition Plan	3	Is this presentation a continuity of the 1115 waiver path to transformation? Where are we with the 1115 waiver process when it comes to the new administration?	N/A	These represent questions or comments that do not appear to relate to HCBS settings rules and are not being addressed in the Transition Plan.
178	Webinar	Written	Provider	General Comment Regarding Statewide Transition Plan and Processes	14	"Will these slides be E-mailed?"	I (a), paragraph 5	Illinois is required to meet the expectations of federal CMS in regards to the implementation of HCBS settings. Language in the Transition Plan has been added or modified to reflect these strategies.
179	Webinar	Written	Provider	General comment or question regarding HCBS settings rules and need to be addressed through continuing education	6	"Will this transition plan effect IC/DD housing? If so, how? Also will it affect Day Training?"	441.730(c)	Continued education is needed at all levels of Transition Plan implementation and will be a key component as we include stakeholders in review of state statutes, policies and procedures and at site visits. Language in the Transition Plan has been added or modified to reflect these strategies.
180	Webinar	Written	Provider	General Comment Regarding Statewide Transition Plan and Processes	14	"Will we get electronic copies of the PowerPoint?"	I (a), paragraph 5	Illinois is required to meet the expectations of federal CMS in regards to the implementation of HCBS settings. Language in the Transition Plan has been added or modified to reflect these strategies.
181	Webinar	Written	Pro	General Comment Regarding Statewide Transition Plan and Processes	14	"Will we get notification if and when our site will be visited?"	I (a), paragraph 5	Illinois is required to meet the expectations of federal CMS in regards to the implementation of HCBS settings. Language in the Transition Plan has been added or modified to reflect these strategies.
182	Webinar	Written	Provider	General Comment Regarding Statewide Transition Plan and Processes	14	"Will you be having additional webinar sessions to update providers on the process?"	I (a), paragraph 5	Illinois is required to meet the expectations of federal CMS in regards to the implementation of HCBS settings. Language in the Transition Plan has been added or modified to reflect these strategies.

183	E-mail	Written	Family of DD Participant	Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	"I also want campus settings, like the one so many have worked so hard to achieve, at Misericordia to be considered to meet HCBS criteria that I believe further increase choice and opportunities for people with developmental disabilities."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
				Current Service Options/Definitions need to be reviewed and/or expanded under existing HCBS waivers and align with CMS regulations	4	"I do not want the State to become more restrictive in its definition of "home and community" approved settings that I believe has the impact of denying further choice for the residents."	441.304(d) - (f)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
184	E-mail	Written	Parent of a DD Participant	Rules may not recognize the value of a particular setting in terms of impact and support to specific populations	11	"Campus settings such as the one at Misericordia is appropriate to meet HCBS criteria for it increases choice for the developmentally disabled. Protected by the Americans with Disabilities Act, Developmental Disabilities Bill of Rights and the Olmstead Decision that the disabled have the human right and civil right to choose important aspects in their lives."	441.301(4)(i)	State plans to utilize an array of strategies which include focus groups with stakeholder groups as part of the site/setting validation visits and/or recommend a setting as part of the heightened scrutiny process. Language in the Transition Plan has been added or modified to reflect these strategies.
				Current Service Options/Definitions need to be reviewed and/or expanded under existing HCBS waivers and align with CMS regulations	4	"The definition of "home & community" approved settings must not become more restrictive. This will impact the residents power to choose; i.e. where they live, where they work, etc."	441.304(d) - (f)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.

185	E-mail	Written	Parent of a DD Participant	Assurance of available service options to enable participant choice and integration in the greater community	1	"I wanted to express concern about the new regulations for Home and Community Based Services; we feel that the regulations will increase costs and limit the opportunities that my daughter currently enjoys."	441.301(4)(i)	Over the next four years, all new and renewed waivers will be reviewed to ensure service options are available in integrated settings that support access to the greater community and Person Centered Planning (PCP) is assured; PCP will need to comport with federal setting expectations. Language in the Transition Plan has been added or modified to reflect these strategies.
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